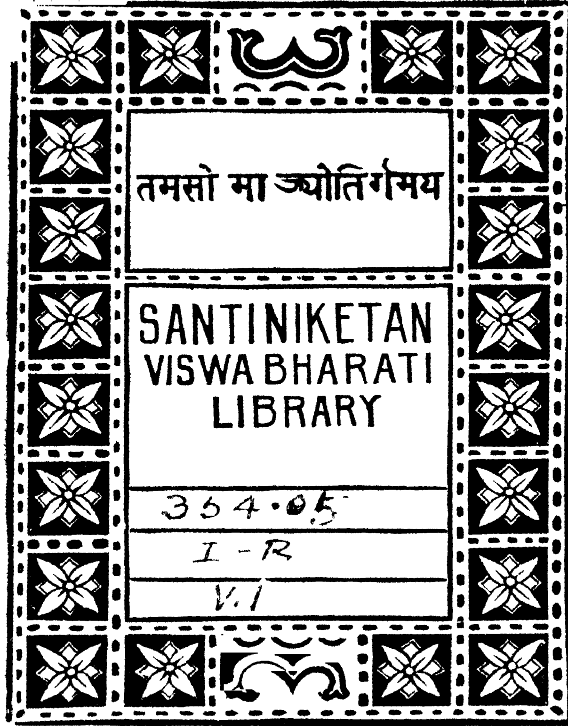

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INDIAN RECORDER.

INDIAN RECORDER

APRIL—JUNE 1932

PUBLISHED UNDER THE AUSPICES OF

INDIAN JOURNALISTS' ASSOCIATION

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FOREWORD

PUBLIC business and public activities have developed phenomenally in India. The interest aroused in public movements and the desire for accurate information in all matters have made an almost overwhelming call on publicists of all description. We have a literature of daily journalism which is growing apace, producing conditions similar to those that have made the periodical publication of law-reports an indispensable aid to lawyers. The profession of journalism, to which we have the honour to belong, feels that it has become almost impossible for it to keep pace with the requirements of a daily increasing volume of public work without some such aid as has been made available to the legal profession. But as journalism covers interests far wider than those of the legal profession, the aid in the shape of a periodical reference book will be found useful to a circle far larger than the journalistic profession, in fact, the circle may be practically as wide as the educated public.

THE INDIAN JOURNALISTS' ASSOCIATION has taken upon itself the task, by no means easy, of satisfying a need that has become almost overwhelming. The INDIAN RECORDER, which is proposed to be a quarterly publication containing a variety of information on matters of public interest, is intended to be a Reference Book helpful to publicists, members of the legislature, students, businessmen and members of the general public.

An attempt has, therefore, been made in this volume to provide a helpful digest of the outstanding events of the quarter both in British India and in the Indian States. The constitutional and communal issues before the country have been presented with leading opinions on the subject; the proceedings of the Central and Provincial Legislatures and those of the Houses of Parliament in connection with India have been incorporated; the progress of the civil disobedience movement and the working of the ordinances in operation have been recorded; the reports of the various Committees published during this quarter have been summarised; the notable law cases have been enumerated; the principal resolutions adopted in the various political conferences held during the quarter have been embodied; finally, a chapter has been added to briefly deal with the news of the quarter bearing on education, riots and crimes, terrorist movement, labour, foreign affairs, trade and industry,

movements for social upliftment, proceedings under the Indian Press Act, Indianisation of the army, natural disasters, etc., etc. In short, in the light of our experience as journalists who have constantly to look to sundry reference books for our daily work, we have tried to make the publication useful by including in it the maximum of valuable information within the limits of space available.

The delay in bringing out the first issue, which we regret, is mainly due to revisions of plan. Arrangements have, however, been made to bring out the subsequent issues regularly. Inspite of our best efforts defects may have remained. We shall welcome suggestions for improvement and hope to make the publication increasingly useful in the light of the criticisms and suggestions which we may receive.

20th Sept., 1932.

RAMANANDA CHATTERJEE
MUJIBUR RAHMAN
BIDHUBHUSAN SEN GUPTA
MRINAL KANTI BASU
NALINI RANJAN SARKAR
ANANDAMAY DHARA
KISHOREE MOHUN BANERJEE

INDIAN RECORDER

CHRONOLOGICAL.

APRIL 1, 1932.

Indian—The Chamber of Princes accepts resolution that Rulers of Indian States will join the All-India Federation. Princes fail to agree in regard to the allocation of seats in the Federal Legislature and arbitration by the crown is suggested. Liberal Federation of India's memorandum strongly opposes the group system of election. A Bill to give wider powers to Municipalities is introduced in the Bengal Legislative Council. The Assembly discusses Government Amendment to the Foreign Relations Bill. Lord Lothian with all members of the Indian Franchise Committee arrives at Lahore from Delhi. A Government Member can not be compelled to give answer to a question, says Bengal Council President. Fight between blacklegs and strikers of Bombay Docks results in four deaths and 40 injured. Mr. C. F. Andrews receives official communication from Portuguese East Africa that Indians in South Africa are hard hit by the new ordinances.

Foreign—Britain's financial year ends with a surplus of £ 364,000. Twenty-one members of the Empire of India Society, among whom are Sydenham and Sir Michael O'Dwyer, in course of a letter to the "Morning Post", say—"Scrap the Federation and go back to the Simon Report." Mr. Peter Freeman, ex-M. P., makes interesting disclosures regarding "Official Mind" in India in course of his address at the Livingstone Hall.

APRIL 2, 1932.

Indian—The assembly passes (1) the Foreign Relations Bill and (2) the Sugar Protection Bill. Government issues communique on the political situation in Madras Presidency during March, 1932. 1,500 houses are blown off and 10,000 people rendered homeless at Dacca by a disastrous cyclone. The members of the Lothian Committee express amusement at the way they are treated by officials in Lahore during their tour programme.

Foreign—Mr. Ramsay MacDonald expresses his firm faith in the future of Labour. A measure of protection in the shape of discriminating duties on certain tea imports is being urged for in London. The League Committee of Inquiry issues warning of a financial collapse in parts of Europe. "Free trade is not dead", declares Lord Snowden at the International Trade Conference in London. The Free State cabinet decides the outline of the proposed reply to the British note on the abolition of oath and non-payment of annuities. Severe fighting breaks out following general Japanese offensive against Nungan. Chinese force is determined to overthrow the New Manchurian Regime.

APRIL 3, 1932.

Foreign—Preliminary conversations begin between British and French Premiers on the Danubian Problem.

APRIL 4, 1932.

Indian—" Buy Indian " processions are banned in Bombay. Bombay Dock strike ends. Sir Atul Chatterjee is to lead the Indian Delegation to the Ottawa Conference in July. Personnel of the Indian delegation to the Imperial Economic Conference meets with general approval in the Assembly. The Assembly passes the Indian Air Force Bill. The Council of State discusses the Bengal Detenus Transfer Bill. The 47th Session of the Indian National Congress is arranged to be held in New Delhi, instead of at Puri, during the last week of April. Report of the working of the Imperial Library during 1930-31 is published. Aden is declared to have been formed into a Chief Commissionership from April 1, 1932. Vernacular as medium of teaching is recommended by the Calcutta University Special Committee. Bengal National Chamber of Commerce makes a statement on Salt Protection Duty. Agha Sultan Mirza gives judgment for Prof. Sant Sayal in the case against Police officers in connection with the happenings of 8th October, 1930. Bengal Presidency Moslem League condemns separate electorates and reservation of seats. The Assembly also passes the Broadcasting Bill.

Foreign—President Hindenburg's re-election is said to be certain in the German Presidential Election. There is complete unanimity in the Free State Cabinet on the question of the abolition of the Oath and the retention of land annuities, says Mr. de Valera. British and French ministers engage in important preliminaries precedent to the Four Power Conference. Mr. Stanley Baldwin urges for closer economic union in the Empire. The Indian Conciliation Group in London suggests ways and means to bridge the widening gulf between India and England. No decision is reached in Anglo-French discussion on the Danubian Problem.

APRIL 5, 1932.

Indian—Terms of the new agreement arrived at between the Government of India and of the Union of South Africa are made public. Maulana Shaukat Ali addresses a letter to Mrs. Sarojini Naidu protesting against boycott of a Moslem shop in Bombay and threatening retaliation. Sir George Schuster makes statement in the Assembly on the financial implications of the proposed separation of Burma from India. The Council of State passes the Bengal Detenus Transfer Bill. Commending on S. Africa Agreement Mr. Andrews says that colour bar is very rigid there. "There is nothing surprising in holding the annual session of the Congress," declares Mrs. Sarojini Naidu. Fire destroys Rs 50,000 worth cotton at Ahmedabad. Defence arguments are concluded and judgment is reserved in the " Gandhi Gospel " case.

Foreign—A Dublin message speaks of the possibility of another general election in the Irish Free State if the Oath is abolished. U. S. House of Representatives passes a Bill according to which the Filipinos will attain independence in 8 years. Prof. Privat of Geneva University addresses the Friend of India Society's monthly meeting in London and refers to the pathetic ignorance of the rulers in India.

APRIL 6, 1932.

Indian—The Assembly discusses the report of the Standing Finance Committee on the financial aspects of the proposed separation of Burma from India: the debate is postponed to the Simla Session. The Budget Session is concluded in the Assembly. The Bombay Mills view with anxiety the position created by the determined competition of Japan in the Indian textile industry. The Council of State adjourns " sine die " after passing 4 Bills.

A terrific cyclone causes heavy damage in Tinnevelly. The Hindu and Sikh members of the Assembly protest against communal discrimination in the railway services. The work of the Consultative Committee of the R. T. C. is not to be held up by the Government. The Jute Industry is threatened by a split in the Indian Jute Mills' Association. Government refuses permission to the holding of the annual session of the Congress at Delhi. Mr. Dange argues his case in the Meerut trial—M. N. Roy's Letter is said to be like the historical Zinovieff affair a mere hoax. Mr. J. C. Banerjee addresses the Council of State on Sugar Protection Bill. 20 new sugar factories are stated to have been started in N. Bihar.

Foreign—The Secretary of State for India, speaking in the House of Commons, refers to general improvement in the Indian situation. The Cosgrave party protests against Mr. de Valera's policy. Police seize documents which reveal Fascist plans to assume control of Germany in the event of Herr Hitler being elected President. Latest report from Shanghai indicates that agreement regarding evacuation of troops may soon be reached. The trend of Anglo-French talks in London pleases the French Press. Auditors checking the books of Kreuger and Toll make sensational disclosures, for instance, non-existent assets are seen put down in the company's books. Mr. de Valera's reply to the British Note is considered by a special Cabinet Committee.

APRIL 7, 1932.

Indian—Sir J. D. Sifton assumes charge of the Governorship of Bihar and Orissa. General elections to the first Frontier Legislative Council begin and for the first time in India polling at night is allowed. Preparations for holding the annual session of the Congress at Delhi shall proceed, says Pandit Malaviya. Mr. Bipin Bihari Das is to manufacture the first motor car to be made in Calcutta for the Calcutta Corporation. The Governor of Bengal replying to the address by the Indian Association defends the policy adopted by the Government and says, "Administration is to be carried on at all costs."

Foreign—The House of Commons speaks of protection for British financial interests involved in an Argentine traffic combine. "Daily Mail" congratulates Government of India on its decision in regard to Congress. The Lotteries Bill is shelved for the present session. French Press is delighted at the trend of Anglo-French talks in London—the Powers are to aid the distressed Danube States. Shares of companies under control of Kreuger combine fall heavily as a sequel to the auditors' disclosures of Kreuger's financial manipulations. The Japanese Ambassador in London gives an exposition of recent events in the Far East. Mr. A. V. Alexander, Member of the late Labour Cabinet, writes to "Manchester Guardian", "All talk of conciliation is vain unless we are ready to trust India to manage her own affairs."

APRIL 8, 1932.

Indian—Government of India directs the Tariff Board to hold an inquiry into the question of Protection for the Indian textile industry. N. W. F. provincial Franchise Committee is opposed to any system of indirect voting. "Congress session will be held," says Mrs. Naidu. G. C. B. A. of Burma wires to Premier on separation issue; Burma, it says, should freely decide the question. Sir George Schuster visits Bombay to consult prominent businessmen on flotation of a new loan. Riot breaks out at Allahabad. Congress procession at Allahabad is charged and fired upon by Police resulting in injury to Mrs. Motilal Nehru and others.

Foreign—The Free State's reply is, in some quarters, thought to be more in the nature of a manifesto to the people of the Irish Free State than a reasoned reply to Britain. The possible effect of Free State's action on Irishmen in services is discussed in the British Press. Imperial Airways and Pan-American Airways officials discuss the proposed Trans-Atlantic Air Service. A convention signed by Russia and Afghanistan is to result in speeding up air mails to India across Russia. The Four Power Conference in London breaks up, unable to agree on a plan for the economic rehabilitation of the Danubian States and further deliberations are to be carried now to Geneva. Miss Muriel Lester of Kingsley Hall Bow, the hostess of Gandhiji during his stay in London last year, completes her book on Gandhiji. Mr. Polak, in a letter to the *Times*, refutes the assertion of the paper's Indian correspondent that the Government has been able to retain the full support of the Indian Moderate. Prof. Private of Swiss University addresses members of Parliament on Indian Situation. Sir Samuel Hoare appeals to Indian youth.

APRIL 9, 1932.

Indian—Pandit Jawaharlal Nehru's car is sold to realise fine imposed on him and pay arrears of income-tax left by the late Pandit Motilal Nehru. Governor of the Punjab visits Kangra and replies to addresses. His Excellency Sir John Anderson receives addresses from various associations and public bodies of Bengal. Dr. Ambedkar releases for publication the private correspondence between himself and Mr. Jadav and Mr. Gavai. Detailed account of Allahabad disturbances are published.

Foreign—President Hindenburg is expected to be re-elected. American rubber interests suggest the appointment of a director to help the industry. The Reichsbank reduces its discount rate from 6 p.c. to 5½ p.c. The Fascist Grand Council in Rome criticises the League of Nations. The British reply to Irish Note is despatched. Sir K. V. Reddi speaks of the difficulties of Indians in S. Africa. It is rumoured that Sir Samuel Hoare will meet Indian provincial heads in London.

APRIL 10, 1932.

Indian—The report that provincial Governors have been invited to attend a Conference in London is regarded as fantastic in Delhi. The Tariff Board issues a communique on the cotton industry's claim for protection.

APRIL 11, 1932.

Indian—District Magistrate of Allahabad issues curfew order. Official report discusses possibilities of developing sources of salt supply on the Bihar and Orissa coasts. The Indian Franchise Committee assemble at Simla to draft their report which is expected to be unanimous. The Viceroy is to perform the inauguration ceremony of N. W. F. P. Council on 20th April. Dr. B. C. Roy is elected Mayor of Calcutta. Dr. Tagore flies to Persia by mail plane at the invitation of Reza Khan, the Ruler of Persia. The Finance Member is optimistic of trade recovery. On behalf of the Buy Indian League of Bengal Sir P. C. Roy appeals to buy nothing but Swadeshi. Mrs. Naidu or Mrs. Zutshi, who is to be the Congress Dictator ?—becomes a matter of controversy due to a misunderstanding.

Foreign—Hindenburg is re-elected President of Germany. Republican Government refuses permission to the Chinese member of the Commission to enter Manchuria and consequently League's Manchurian Commission is threatened with breakdown. Allegation of mismanagement is made against the International Match Corporation of U. S. A. The British reply to

Ireland says that Ireland's actions anent the Oath and Annuities question will mean "Repudiation" of the Treaty. Mr. de Valera demands complete equality. Gen. Hertzog strives for Empire Unity. Congress flag flies in London and protests are made against repression in India. Series of interpellations are made in the House of Commons on the present situation in India. A Scientist in London discovers the richest sources of vitamin in Indian mango.

APRIL 12, 1932.

Indian—The Select Committee to consider the Bill to amend the Ancient Monuments Preservation Act publishes its report. Bengal Education Minister defends the present Governmental control of schools and colleges. The Annual Meeting of the Bengal Branch of the Anglo-Indian Association reveals the acute economic position of the Anglo-Indian community. The Bombay Government is carrying out experiment to export, on a large scale, mangoes to England. Messrs. Tata & Sons Ltd. propose to inaugurate an Air Service between Karachi and Madras on September 15 next. Delhi Congress is banned. Over 100 detenus are transferred to Ajmer.

Foreign—Text of the correspondence between the British Government and the Irish Free State is published. Questions are asked in the House of Commons regarding the Indian Medical Council Bill. Sino-Japanese negotiations for armistice are postponed indefinitely. United States' proposals for disarmament are placed before the Disarmament Conference at Geneva. A great earthquake occurs in S. America with volcanic dust clouds as big as England. Manchuria is proclaimed an Independent State in Mukden. Sir Samuel Hoare reviews the Indian situation in Commons and concludes that Ireland's conditions are prevailing in Bengal and Bombay. Replying to a question he states that the Government of India considers proposals for replacing the five British District officers who were victims of the terrorist movement in Bengal by military officers.

APRIL 13, 1932.

Indian.—The meeting of the Consultative Committee, originally fixed for an early date in May, is postponed to May 23, 1932. His Excellency the Viceroy frames agenda list for the next session of the Consultative Committee. Further details of banning of Congress Session are published. Fire is set to letter-boxes in Allahabad. Mrs. Nehru replies to District Magistrate's Communique regarding the circumstances in which she was wounded. Dr. Mukerjee, defending himself in Meerut Case, says that he has no complicity with communism. The establishing of special courts in various Railway centres in U. P. is suggested to deal with purely Railway cases.

Foreign—"What Irish men outside the Free State think" is discussed in a letter signed "M. F. O'Dwyer" in London *Times.* Results of the new fiscal policy in Britain are a heavy drop in imports and a substantial rise in exports. Mr. Lloyd George finds himself in entire agreement with the Dominions Secretary regarding the Irish Question. Eight volcanoes are in eruption in S. America. Rubber Plantations in the Dutch East Indies close down. Mr. Litvinoff, the Soviet Representative, presents scheme for reduction of armaments before the Disarmament Conference. Irish Free State officials are taken by surprise by the existence of an annuity agreement concluded in 1923. Fresh development in the Irish situation arises from the despatch of Mr. Thomas's Note. The Powers' Experts purpose to report early on the Danubian Problem. A Japanese troops train is bombed. The Oath is no part of the Treaty, says President de Valera in course of an interview with Mr. Dingle Foot, M.P.

APRIL 14, 1932.

Indian.—The B. B. & C. I. Rly. workers decide on a general strike. Bengal National Chamber of Commerce presents address to the Governor of Bengal. At the annual meeting of the Punjab Chamber of Commerce, Mr. H. Taylor speaks on the effect of the new taxes. The Viceroy defends the manner in which the powers granted by the Ordinances are being exercised. The deputations of Moslem organisations wait on the Bengal Governor and submit the community's demands. The move to import foreign cotton into the port of Bhavnagar threatens Bombay's cotton trade. The yearly report on Administration in Baluchistan gives lists of tribal feuds. The Chinese leave Calcutta—victims of slump. Balaghat gold mines close down and employees are given notice. Bihar's Education Minister presides at the annual diploma and prize giving of the Bihar and Orissa Veterinary College and emphasises the need to improve the livestock of the country. The India Office have issued a complete denial of reports regarding Gandhi's release, says an Associated Press message from Simla.

Foreign—Parliament discusses the question of Ceylon prison reforms. Italy supports the U. S. A. disarmament proposals at Geneva. Second reading of the Sunday Cinemas Bill is passed by the Commons by 235 votes to 217. A Japanese elder statesman outspokenly criticises the attitude of the League towards Japan. Prof. Privat is thoroughly disappointed about the success of his mission. Lord Craigavon interviews Mr. Thomas, the Dominion Secretary. President Hindenburg orders the dissolution of Herr Hitler's private army of 400,000 men.

APRIL 15, 1932.

Indian—Sugar import at Karachi shows a heavy decline during 1931-32. Excise Revenue in Bombay drops by Rs. 88 lakhs. Fifteen lives are lost and 5,000 families rendered homeless by floods in S. India. Government declares reward of Rs 2,000 for information regarding the throwing of bomb at a constable during the Allahabad riots. List of candidates is returned for the First Legislative Council of the Frontier. Fire arms are captured from rebels in Burma. Lahore paper's suggestions regarding postponement of Consultative Committee are refuted. Train outrage near Allahabad results in the death of the mail sorter. The Commissioner of the Presidency Division, Bengal, opens the 5th annual conference of the Union Boards of 24-Paraganas at Alipore. Dr. Kitchlew is served with restraint order. The Federation Scheme of India's Constitution evokes Anglo-Moslem opposition. Strange tales about Bengal Terrorists are given publicity to by a special correspondent of an English newspaper in the British Press. In a letter to a friend, Sj. Subhas Bose tells of his life in jail.

Foreign—Mr. Runciman claims success for the new fiscal policy of the National Government. Lord Craigavon is perfectly satisfied with Mr. J. H. Thomas's assurance regarding the Free State dispute—the Oath Abolition Bill is to be amended. Five hundred armed police raid Munich headquarters of the "Nazi" organisation. A serious outbreak of rioting by unemployed of Auckland (New Zealand) is reported, resulting in hundred injured, windows smashed, and shops looted—total damage is estimated at £ 100,000. Lord Sankey in an article in a National Labour periodical expresses the confident hope that the New India would at no distant date be achieved by the Government. Dr. Privat proposes to raise a question regarding the declaring of Congress hospitals illegal by the Government of India at the International Red Cross headquarters. The Director of International Labour Office presenting his report to the 16th session of the Conference which opened at Geneva on 12th April points out Geneva's share in the progress

made in Labour Legislation. Transvaal Indians protest against the Land Tenure Bill.

APRIL 16, 1932.

Indian—The Western India National Liberal Association protests against the changed policy of the Government in the matter of classification of political prisoners. Congress meaning of Swaraj is not explicit and majority Government on British model is unsuited to India, says Mr. K. Chandy, the Vice-Chancellor of the Mysore University. The Viceroy and Lady Willingdon fly to Peshawar to instal Sir R. Griffith as Governor of the N. W. F. P. Darjeeling welcomes Sir John Anderson. Many arrests are made in connection with temple Satyagraha at Nasik. Counter-propaganda is launched against Congress in U. P. The South African Indian Congress submits a statement to the leader and member of the Government of India Delegation on the grievances and disabilities the Indians there are labouring under. Mr. S. V. Ramamurti, Director of Agriculture, speaks about the development of agriculture in India, at Berhampore (Ganjam). Treatment meted out to Bengal detenus in C. P. in regard to food and exercise is a matter of public anxiety. General examination is proposed of the question of revision of rates of pay of All-India services.

Foreign—The Admiralty modifies the status of Officers of the Royal Indian Marine. Opinion in London City is divided on the amount of duty to be placed on tea. A British cruiser is despatched to Amoy, in anticipation of Communist advance on Chang-chow. The Japanese Delegation at Geneva is instructed from Tokyo not to attend the session of the League Committee. Kreuger and Toll directors are arrested on charges arising from the Kreuger affairs. A great deal of the trouble in India is due to economic depression, declares Sir Stanley Jackson at an interview in London.

APRIL 18, 1932.

Indian—The first session of the Frontier Legislative Council begins at Abbottabad on May 20, 1932. The All-Bengal Namasudra Association at its annual conference in Calcutta condemns Congress attitude towards the depressed classes. One person is killed and a number wounded and injured in Hindu-Moslem riots in Bengal during the Id Festival. End of the Daska dispute is stated to be in sight. The Viceroy instals Sir Ralph Griffith as Governor of N. W. F. P. Seventeen workers are reported to have been asphyxiated in a mica mine in Bihar. A significant statement is made by Lord Lothian who stresses the need of unanimity. Death sentence is passed on Patna anarchists. Burma rebel leaders surrender. A Police Sub-Inspector is attacked in Bombay. Akalis march in procession defying order under section 144, and 92 are arrested in New Delhi. Burma Government replies to G. C. B. A.'s appeal and says Athins are rebel associations. Full text of judgment appears in the seditious Clay Models Case. Sj. Kishorilal Ghosh, in course of his defence in the Meerut Case, gives the basis of Trade Unionism. Discovery of pork in mosque leads to a scuffle between Hindu and Moslem mill-hands at Chinsurah. Further details of the bomb explosion at Dacca are published. Asst. General Secretary to All-India Depressed Casses Association in a press statement states why depressed classes demand joint electorates.

Foreign—Tariff increases and reimposition of tea duty are forecast in the Budget to be introduced in Parliament. Death is reported of Sir Patrick Geddes. Grave charges are made against three Directors of the Kreuger-Toll Combine. Moratorium for German long-term credits is being talked of. Ethiopia promises freedom for Abyssinian slaves.

Mr. Hoover is a candidate for U. S. Presidential Election. U. S. exports show a heavy decline. Geneva discussions turn out abortive—no decision being reached on Shanghai evacuation. President Hindenburg does not intend to allow any "private troops".

APRIL 19, 1932.

Indian—Signs of revival of Civil Disobedience are reported in certain areas of the Madras Presidency. Two Burmese rebels are sentenced to death and 40 transported for life. Working of the District Boards of Bengal in 1930-31 is reviewed. The States Inquiry Committee sails for England on April 30, 1932. A Gazette Extraordinary declares the Delhi Congress Reception Committee an unlawful association. Mrs. Naidu declares for the defying of the ban on the holding of the Congress session at Delhi. The *Pioneer* of Allahabad comes under new syndicate. State railways earnings decrease by 8 crores.

Foreign—Mr. Ramsay MacDonald's physicians allow him to leave for Geneva. Proposal for disarmament by stages finds general acceptance at Geneva. The financial agreement between Britain and the Irish Free State is issued in the form of a White Paper. A Stockholm newspaper suggests that large sums of money which had disappeared from the assets of Kreuger and Toll were used by Kreuger himself. War clouds appear again in the Far East as a result of tension between Japan and the Soviet regarding recent incidents in the Manchuria Republic. Mr. N. Chamberlain presents the National Government's Budget in the Commons and urges for preference for Empire Tea. Shanghai situation continues to be tense and no settlement is reached at Geneva. Payment of Land Annuities and Irish Free State's undertaking and the 1923 Agreement are subjects of intense and continued controversy in interested quarters.

APRIL 20, 1932.

Indian—The Viceroy inaugurates the Frontier Council. The Frontier Crimes Regulation is suspended for one year. A communal clash occurs in Bombay and the police open fire and about 40 are injured. Bengal Government makes rules regarding petitions by prisoners to Governor-in-Council. Working of the Bengal Irrigation Department is reviewed. Mrs. Naidu is served with a police notice at Bombay forbidding her from leaving the city without permission. The District Magistrate and the Superintendent of Police give evidence before the Commissioner on Allahabad police firing during the recent Allahabad riots. Non-official witnesses do not appear at the Commissioner's inquiry into the Allahabad firing; official witnesses justify firing. The tea duties give general satisfaction in Clive Street. European's task in the future constitution of India is the subject of Mr. Villier's speech at his farewell function in Calcutta. In course of his address at the annual meeting of the Karachi Chamber of Commerce the Chairman draws attention to the drop of Rs. 11 crores in Karachi's trade.

Foreign—Official documents place beyond doubt that Kreuger committed suicide. Reliefless nature of Mr. Chamberlain's Budget arouses disappointment throughout the country. Disarmament Conference Committee passes resolution on armament reduction. Japan is said to be not in a mood to abide by Geneva resolutions—"Hands off Shanghai," says she.

APRIL 21, 1932.

Indian—Bihar Agricultural Research Committee recommends two research schemes to the Imperial Council of Agricultural Research for financial help. The King sends his message to the Frontier people and the Viceroy

speaks at the inauguration of the Frontier Council. Mr. Shaukat Ali marries a Yorkshire girl at Bombay. Agreement is signed between Government and Messrs. Tata & Sons Ltd. for the operation of a weekly air mail service between Karachi and Madras from September 15 next. Glancy Commission's proposals are published. Mr. Villiers leaves for England on doctor's advice. Tense situation prevails in Bombay where a Communal Peace Conference has been called. Office of the Reception Committee of the 47th Indian National Congress is declared a notified place. Indian Christians in Nizam's State stand by Joint Electorate. Who stoned the police during the recent communal clash in Bombay—Hindus or Moslems ?—Big Brother's allegations are refuted by the Police.

Foreign—Trade improvement in Britain is indicated by new undertakings and extension of business. Mr. de Valera moves in the Dail the first reading of the Bill to abolish the Oath of Allegiance. The brewery, tea and artificial silk sections are affected most by the British Budget. Mr. Baldwin reiterates the contingency of a second Budget. In a broadcast speech the Chancellor of Exchequer reviews the Budget position. French and German newspapers comment on Britain's Budget. Japan categorically denies the Soviet allegation that Japanese troops and white Russians are working in collusion in Manchuria. The Nanking Government accepts but Japan objects to the draft resolution of the League on Shanghai. · Approval of the principle of qualitative disarmament is reported from Geneva. Commerce Chambers offer to co-operate in the solution of the Danubian crisis. Cape Town Conference, which concludes, suggests important modifications on the Land Tenure Bill.

APRIL 22, 1932.

Indian—Mrs. Sarojini Naidu, acting President of the Congress, is arrested on way from Bombay to Delhi. Notice is served on the Chairman, Reception Committee of the 47th Congress Session, ordering him not to leave Meerut; 9 arrests are reported, among whom are secretaries and members of the Congress Committee. Deposing in the big Counterfeiting Case in Allahabad, Calcutta Mint Official describes the history of Murshidabadi coins. The District Magistrate of Karachi issues statement regarding the whipping of insubordinate prisoners. About 3,000 workmen connected with Calcutta's umbrella trade go on strike Delhi cloth merchants are not to participate in "hartals," notice to that effect being already served upon 7 prominent cloth merchants. The Punjab Hindu Sabha manifesto protesting against Moslem demands is published. Rival meetings are held of local depressed classes at Nagpur, feelings run high and shoe is hurled at Mr. Khandekar. Teachers are asked to speak to school boys on booklets (such as "Economic Depression and Civil Disobedience") published by the Government of Bengal Publicity Committee.

Foreign—A White Paper announces the increased British duties on imports. Mr. Winston Churchill thinks that a counter-preference should have been arranged with India and Ceylon before restoring the tea duties. A curious constitutional anomaly arises out of the discovery that the President of Board of Trade was not eligible to sit in the House of Commons and the House promptly passes a "President of the Board of Trade" Bill, removing the incapacity. The Iraq Government signs a contract for a new oil concession for 75 years. Deadlock between Japan and the rest of the League Council at Geneva continues. Japan proposes to absolutely resist any attempt to apply the Nine Power Pact in regard to Manchuria, declares Japan's War Minister. Rebel successes in Manchuria place a considerable Japanese force in a serious predicament.

Capture of Amoy by Communist forces is expected any moment. Policemen are badly scratched by women in a "Red" riot in New York. During the debate on qualitative disarmament which continues the French suggest plan for an international army. British proposals regarding disarmament are stated to have been accepted. Mr. Gandhi's portrait is rejected by the Royal Academy.

APRIL 23, 1932.

Indian—A head constable is reported to have been killed and two constables injured by prisoners whom they were conveying by train from Aligarh to Lahore. Mrs. Sarojini Naidu is sentenced to 1 year's simple imprisonment. Pandit Malaviya is arrested at Delhi. Riot occurs in a Bihar village and four are injured, two fatally. P. M. G. of Bengal issues warning to the public in regard to the destruction of letters in Calcutta street pillar-boxes. As a result of the new taxation, sale of motor cars shows a considerable fall. The Viceroy's assurance regarding minority interests pleases the Moslems as is evident from Sir M. Yakub's statement in the Press. The Moslems, at an extraordinary general meeting of the All-India Jamait-i-Quret, decide against co-operation with Congress. Research at Bombay leads to improved varieties of cotton and wheat. In a letter to the Press, Mr. Weston, Director of Industries, Bengal, states how the Government helps industries in Bengal. Grievances of political prisoners at Dum Dum Special Jail are published. Fresh lease of life is given to the Prohibitory Order in Chittagong. Sj. Gangadhar Rao Deshpande succeeds Mrs. Naidu as Acting President of the Congress. Origin of the trouble which led to the Khaira riot is published. Indian Christians hold divided views on the question of Electorate.

Foreign—The Cosgrave Party in the Dail tables amendment to the Oath Bill with a view to an agreement between the Free State executive and the British Government. Sir Philip Cunliffe-Lister is of opinion that Colonial trade had been a great stand-by to Britain in the past difficult years. France regards Britain's new tariff as excessive. Lancashire cotton operatives decline to discuss the proposal in regard to a cut in wages. Sir Herbert Wright at Rubber Growers' Association meeting speaks of the difficulties of the rubber industry.

APRIL 24, 1932.

Indian—The 47th Session of the Congress is held at Delhi in spite of bans and lathi charges and over 400 delegates are reported to have been arrested. Bengal Hindus issue a manifesto on Moslems' claims.

APRIL 25, 1932.

Indian—Ahmedabad Millowners are stated to have made a net profit of Rs. 28 lakhs in 1930 against Rs. 67 lakhs in 1929. Sir Dorab Tata decide to make a gift of Rs. 3½ crores for charities and research. Bombay Government sets up an expert Committee to devise measures for effecting ecomonies in the administrative machinery. Five persons are arrested in Calcutta in connection with attempts to set fire to letters in pillar-boxes. The Conference to solve the deficit problem of Sind meets at Karachi. Commissioner of Ajmer is reported to have narrowly escaped an attack with revolver.

Foreign—Japan informs Lord Lytton that she cannot guarantee the safety of the League Commission in Northern Manchuria. Greece decides to go off the gold standard. 212 Dutch East Indian rubber plantations are reported to be restricting tapping. The International Tin Committee recommends a further cut in tin production of 20,000 tons per annum. A million

persons in New York are stated to be dependent on charity. Britain protests against Cinema tax. A 5 per cent. £10,000,000 loan is to be issued at £95 per cent. by Government of India on 27th April, 1932. State elections in Germany result in sweeping "Nazi" gains. "Congress as a whole is not declared illegal," reiterates Sir S. Hoare.

APRIL 26, 1932.

Indian—Government propose to investigate the scheme to concentrate anti-leprosy operations in C. P. Progress is reported to have been made in cotton experiments in the Central Provinces. Mysore State intends to have a Technological Institute. The Sind Conference discusses the limits within which its work should be confined. Hearing of the Charmugaria armed mail robbery case commences before a Special Tribunal at Faridpur. The new Khan of Kalat is installed by the Viceroy. Sir Osborne Smith comments on the stability of India's exchange. Prof. S. K. Mitra discusses the future of television. Fire occurs in Burrabazar P. O. Box. In a statement on the Ottawa Conference the Indian Chamber of Commerce expresses its strong opposition to Imperial preference.

Foreign—The East India Association discusses problems raised by the Second R. T. C. and Lord Irwin's policy is dubbed "an appalling legacy." Reciprocal fiscal concessions between Burma and Lancashire are proposed. The General Committee of the Disarmament Conference adjourns, pending the classification of arms by experts. Both Houses of the British Parliament unanimously pass resolution providing for £150,000,000 for the Exchange Equalisation Account with the object of protecting sterling. Delhi Congress arrests lead to a statement in the House of Commons, giving reasons why they were made. The question of withdrawal of Japanese troops gives rise to a hitch and creates a deadlock in Shanghai. Full significance of the Irish Oath Bill is the subject of Mr. Thomas's announcement in the House of Commons. The Franchise Committee's plans change and the departure of the members for Home is postponed.

APRIL 27, 1932.

Indian—A 32 crore scheme for irrigating one million acres in the Ceded Districts of Madras is proposed as a joint undertaking of the Madras and the Hyderabad Governments The Viceroy replies to welcome addresses by Sardars of Baluchistan and the Quetta Municipality. Government of Bengal appoints a committee to recommend retrenchment in the administration of the Province. Report of the Orissa Boundary Commission, which has been submitted to the Government, is reported to be unanimous. The Financial Commissioner of Railways submits his memorandum on the rolling stock programme for 1933-34. Bengal Presidency Moslem League issues a statement on communal electorate and its disservices to Bengal Moslems. Depressed classes stand for joint electorate, states Rao Bahadur M. C. Rajah. The Indian Chamber protests against the removal of high-paid Indians from the Port Trust. Important change is made regarding sanction of pensions and gratuities to officers injured or to the families of those killed as the result of anarchist outrages. Letters are damaged in mail service letter-box in the Howrah Station. Trade returns of British India reveal a gloomy outlook. More associations are declared unlawful in Bengal.

Foreign—Mr. de Valera moves the second reading of the Oath Bill in the Dail and remarks that the proposed amendment of the constitution is no violation of the treaty with Britain. The tea duty proposals in the Budget are carried in the House of Commons. The question of British trade policy in regard to Russia is raised in the House of Commons. The result

of Britain's new tariff policy is seen in 50 new foreign undertakings being set up in Britain. Mr. Thomas's recent statement in the Commons perturbs people in the Irish Free State. The Liberal Ministers in the Cabinet have every intention of remaining in the Government declares Sir Samuel Hoare. For the first time since 1915 the U. S. Steel Corporation declares a quarterly dividend on its common stock. The Japanese undertake new operations, on a big scale, in Manchuria to crush rebellion. Tokyo accepts British proposal and the prospect of a settlement of the Sino-Japanese dispute becomes brighter. Moratorium to the Kreuger and Toll Combine is likely to be extended. Cost of Aden and India's contribution to military charges are subjects of interpellations in the Commons.

APRIL 28, 1932.

Indian—Imperial Bank rate is reduced from 6 to 5 p.c. The C. S. P. C. A. start campaign for the destruction of pariah dogs in Calcutta. Two more fires in pillar-boxes are reported in Calcutta. A representation of Bombay commercial bodies proposes to urge Government to take measures to check the division of Bombay's trade. Singhbhum and Midnapur districts are reported to be excluded from the new Orissa Province. H. E. the Governor of Bengal is to visit Simla early in May and confer with the Viceroy on urgent problems of the province. Trade returns of British India for March show a drop of Rs. 10 lakhs in imports of cigarettes. The rise in land values complicates the tenancy problem in Orissa. The Finance Member speaks of the "brilliant success of India Loan."

Foreign—The Ottawa Conference is to discuss the question of Empire currency. The Commons refuse leave to introduce a Bill to amend the Parliamentary Oaths Act. The Prince of Wales reiterates his appeal for voluntary individual efforts to aid the unemployed and their dependents. The German bank rate is reduced from 5½ p.c. to 5 p c. That Indian Railway workers often work 22 hours daily is the startling assertion made by the Indian Workers' Delegate at the Geneva Labour Conference. Lord Irwin criticises the policy of the Congress in an address to Toronto University. Illness of the French Premier interrupts the Geneva Disarmament Conference and causes much disappointment among the British delegation. Trade Union Congress leaders are to go, as advisers, to the Ottawa Conference.

APRIL 29, 1932.

Indian—The Federation of Indian Chamber of Commerce is opposed to any commitment by India to trade reciprocity at the Ottawa Conference. The Viceroy returns to Simla. A Special Session of the Assembly is talked of for reviving the Ordinances. Bengal Chamber of Commerce issues a memorandum regarding income-tax under the constitution. Long-term credit for agriculture is proposed in Bihar. As a sequel to publication of a Frontier news the Free Press Editor is put on trial. Tamluk is required to have punitive police.

Foreign—The Labour Leader in the Dail announces his party's intention to support the Oath Bill. Sir Samuel Hoare repudiates charges about the abuse of emergency powers in India and says that unscrupulous propaganda is being conducted to vilify British rule and officials. Plenary meeting of the League is announced to be held on April 30 to discuss the amended resolution on the Shanghai situation. At the meeting of the Opium Committee at Geneva, Sir John Campbell complains about India's opium policy. The U. S. House of Representatives pass the Democratic Tax Bill. Japanese civil, military and naval leaders are severely injured by bomb thrown by a Korean.

APRIL 30, 1932.

Indian—Government of Madras is reported to have decided to amalgamate the Nilgiris with the Coimbatore district. As a measure of rural uplift in the Punjab, it is proposed to install loud speakers in villages for educating the masses. Traffic earnings of the East Indian Railway last year show a drop of Rs. 90 lakhs. Five persons are seriously injured in a riot in Kolhapur State. Temple entry agitation is started at Nasik. Every fifth battalion of all groups in the Indian Army possessing five battalions is ordered to be Indianised. A conference is held in Calcutta of Rural and Central Co-operative Anti-malarial Societies. Incidence of Kala-azar in Assam shows a satisfactory reduction during the last 2 years. Midnapore Magistrate, Mr. Douglas, is shot and killed by a Bengali youth during a meeting of the District Board. Outside influences are supposed to be at work for the closing of shops for three days in the week and Government sends letter to the President, Bullion Exchange, Bombay, asking the members of the body to meet and consider steps for resuming normal business. The Railway Stores Purchase policy of the Government is condemned by the Southern India Chamber of Commerce.

Foreign—The Ordinances are to be kept in force as long as the emergency lasts, says Sir Samuel Hoare. The Labour Conference at Geneva fixes ten years as the age for the employment of children in non-industrial occupations. News of the Shanghai bomb outrage is received with calm in Tokyo; it is thought that the Sino-Japanese pact is not likely to be affected by it. Disarmament talks give occasion for a diversity of views at Geneva. Ex-President Cosgrave leads a bitter attack during the second reading of the Oath Bill. The "Economist" criticises the Government of India's dual policy of repression and reform. Truce is expected in Shanghai and Japanese forces are to be entirely withdrawn.

MAY 1, 1932.

Indian—The proposal to make English a court language in Bihar and Orissa evokes protests from Bar Associations. Trade Unionism seeks to promote interests of workers, says Sj. Kishori Lal Ghosh in course of his defence arguments in the Meerut case.

Foreign—Mr. Ramsay MacDonald returns to London from Geneva.

MAY 2, 1932.

Indian—A severe tornado devastates a Khulna village killing four and injuring 160. Bihar Government orders the stationing of punitive police in certain villages in the Muzaffarpore district. Travancore State makes notable progress in education as the census report of 1931 shows. Captain D. P. Lambert of the Indian Military Hospital, Lahore, is attacked and injured while asleep in his bungalow in the Cantonment. A Government communique gives particulars of the examination for admission to the Indian Military Academy to be held in Delhi in October next. Sir Sultan Ahmed is to officiate as a member of the Bihar and Orissa Executive Council. Twelve members of the board of directors of the Bombay Stock Exchange resign. With the exception of Sir Earnest Bennett, the members of the Indian Franchise Committee sign their report. Pt. Malaviya is arrested and taken to Ghaziabad. Trade licenses for air pilots are proposed to be issued in India. Civil Disobedience arrests number 2,450 in Bombay this year. A lady worker dies in Sibsagar jail of sudden heart-failure following an abortion. Sir P. C. Ray's 70th birthday is celebrated at Lahore. Preaching boycott is "no offence", says Mr. S. M. Kaikini, the acting Sessions and

Dt. Judge, Viramgaon, Ahmedabad. Sulphuric acid is discovered in G. P. O. letter box in Bombay. Extensive house searches are made and 35 arrests are reported following the murder of Mr. Douglas, the Magistrate of Midnapore.

Foreign—The Irish Labour Party is said to be divided on the question of the Anglo-Irish Treaty. M. Tardieu, the French Premier, is re-elected in the elections to the Chamber of Deputies. A change of Government in France is forecast as a result of the elections to the Chamber of Deputies. Mr. Arthur Henderson is optimistic about the success of the Disarmament Conference. How Ireland's treaty was negotiated is the subject of an article in the Press by the Rt. Hon. Sir Austen Chamberlain, M.P. British manufacturers protest against the removal of silk duty.

MAY 3, 1932.

Indian—The Zemindars of Azamgarh, U. P., form themselves into an Association to help the tenants and combat the Congress. The question of the division of customs receipts in Cochin port between the Governments of Madras, Travancore and Cochin is under arbitration at Simla. The scheme of constitutional advance which appears to be the most favoured in Simla is "Federation to follow Provincial autonomy." Pundit Malaviya criticises Sir S. Hoare and explains what "honourable friendship" means. It is stated that there is no truth in the report that the Viceroy is convening a meeting of Provincial Governors about the 15th instant. Lord Lothian speaks on the report of the Franchise Committee. Eight of the Burma rebels are to die and 12 to serve life sentence. Dire economic distress is said to be the cause of a mother's killing her baby in North Lakhimpur, Assam. Sentences in the Shambazar Bomb case are upheld by the High Court. The Federal Finance Committee publishes its report. Charge is framed under section 307 I. P. C. against Ramchandra Bapat, the alleged assailant of Mr. Gibson, Ajmer Commissioner. The Government expresses its warm appreciation of the Chief Commissioner's efforts in preventing the holding of the Congress session at Delhi. The new amending Bill to give compensation to workmen, which closely follows many of the recommendations of the Whitley Commission and has already been introduced in the Assembly provides for safeguards against small employers.

Foreign.—Mr. de Valera's treaty repudiation proposals cause alarm in business circles in the Irish Free State. The House of Commons discusses the possibility of an Anglo-Danish commercial treaty. Britain watches financial negotiations at present being conducted by Greece and Bulgaria. Sir Herbert Samuel informs the House of Commons that the British Police Force is superior to all others in efficiency. Mr. Walter Runciman makes an appeal for the cessation of all War Debts and Reparations. Mr. Ramsay MacDonald undergoes an operation on his right eye. Further hitch is reported in Shanghai peace talks. Important constitutional changes are inaugurated in Malta. The assertion of the Secretary of State for India in the House of Commons that it was "unscrupulous propaganda" which found fault with the working of the bureaucracy in India evokes a spirited challenge from Mr. Reynolds, President of the Friend of India Society, who was ready to refute Sir Samuel's charges. Mr. Frank McDermott tables an amendment for the Committee stage of the Oath Bill. The Manchurian Commission arrive at Changchun.

MAY 4, 1932.

Indian.—A Burma Planters' Association is formed in Rangoon. Review of Union Boards in Bengal is published. A memorial service is held at Dar-

feeling for late Mr. Douglas and a condolence motion is adopted at Calcutta Corporation meeting. Bombay Millowners complain about Japanese dumping of piecegoods at ridiculously low prices. Calcutta Corporation moves to restrict betting on race courses. Hail-storm and torrential rain work damage at Darjeeling. Assam Government fights against leprosy. Convicted Congressmen total over 9,000 in Bengal. Bombay Millowners write to Government of India on the question of Imperial Preference. India's Director of Civil Aviation visits Colombo in connection with a proposal of Air Mail for Ceylon. The Frontier Council demands the withdrawal of Ordinances. Trial begins of Bapat, the alleged assailant of Mr. Gibson, before the Additional District Magistrate of Ajmer-Merwara. The Governor of Bengal pays tribute to late Mr. Douglas, Magistrate of Midnapore. Fire is discovered in post boxes at Madura. Four Congress organisations are declared unlawful in Midnapore. The fact that led to the hunger strike by ladies in Suri Jail is published. Following the picketing of post offices arrests are made in Bombay. The Ammunition Factory at Dum Dum is converted into a jail. Letters are damaged at Muzaffarpur by incendiaries. Four Sikhs are on trial in Lahore Jail for disfiguring the Lawrence Statue. Pt. Malaviya is surprised at his release from Delhi jail. The crisis confronting the jute mills in Bengal necessitates wire to the Governor of Bengal. Sm. Nirmala Sarkar and Sm. Jamuna Ghosh are sentenced by the Chief Presidency Magistrate, Calcutta, for refusing to give thumb impression. Mr. R. S. Pandit is sentenced to one year's rigorous imprisonment. Extensive searches are carried on in Bombay to find out men behind the Congress movement.

Foreign.—Names of business advisers to accompany the British Delegation to the Ottawa Conference are announced in the House of Commons. Attack is said to have been renewed on the Irish Oath Bill when the Committee stage of the Bill was opened in the Dail. The new tariff policy is to be used to safeguard British coal in foreign markets unless conditions improved, says Sir Isaac Foot. The U. S. Senate Finance Committee proposes a tax on rubber imports. British Delegation at the Disarmament Conference puts forward plea for the abolition of submarines. Oil shares improve in London Exchange.

MAY 5, 1932.

Indian—A tornado in East Bengal takes away nineteen lives. Calcutta liquor interests protest against the crippling effects upon trade of the new taxation rates. Over 450 candidates apply for the entrance examination for the Indian Military Academy. Negotiations break down between the Indian Jute Mills Association Mills and the non-Association Mills. European tea planters of Travancore urge abolition of the duty imposed by the State on tea grown there. A conference of the Princes is to be held in Bombay to consider the scheme of federation outlined in the Simon report. Acid is discovered in a Delhi post box. Burma rebels appeal. India and the Ottawa Conference is the subject of a letter written by the Indian Merchants' Chamber to the Secretary to the Government of India. Mr. Fazlul Huq becomes an advocate of joint electorate. Interesting facts regarding classification of political prisoners are brought to light. Twenty out of 1,133 political prisoners are placed in "A" Division in the Punjab. Kashmir Hindus are stated to be awaiting Government's answer while a deputation waits on the Prime Minister. Volunteers are prosecuted at Madaripur for the offence of crying "Bande Mataram." Economic distress becomes acute in Kishanganj due to money famine and want of buyers of agricultural produce.

Foreign—Attention is drawn to Indian competition in the iron and steel industry in a debate in the Commons. The Bill for the abolition of the Oath and the withholding of land annuities pass the Committee stage in the Dail by 77 votes to 67, Irish Labour supporting the Bill. Mr. N. Chamberlain opens the debate on the recently imposed import duties in the House of Commons. The Italian Foreign Minister criticises the excessive delay in the peace talks at Geneva. The Sino-Japanese truce agreement is signed and hostilities at Shanghai end. "Rationalisation" of Empire trade is the subject of the British proposal for Ottawa talks. Italy opposes British plan at the Disarmament Conference at Geneva. Raids by pirates are a menace to shipping at Shanghai. Allowances sanctioned by the Government of India to Messrs. Sarat Chandra Bose and J. M. Sen Gupta form subjects of comment by the "Times."

MAY 6, 1932.

Indian—The Federal Finance Committee publish their report in which federal revenue is estimated at Rs. 84,60 lakhs, and expenditure at Rs. 80,10 lakhs. In regard to income-tax under the Federal scheme, difficulty arises on the question of distribution. Sir Hubert Carr is to lead a deputation to Sir Samuel Hoare to re-assert the European demand for fair representation in future Councils. The Princes' Conference in Bombay supports resolutions passed at the Delhi Session of the Chamber of Princes. Congress rooms in Bombay are raided. Speed up reforms, observe Sir C. P. Ramaswami Iyer and Mr. M. R. Jayakar, in course of a statement to the Press, who are dissatisfied with the "desultory talks" of the Consultative Committee. The Punjab Legislative Council comes to the aid of distressed agriculturists; it proposes 50 p.c. remission and reduction of railway freights on food grains. Tornado ravages South Bengal and harrowing details come from devastated villages. The Bengal Village Self-Government Bill comes out of the Select Committee with numerous minutes of dissent.

Foreign—The House of Commons approves the new import duties by 405 votes to 70. China and Japan sign an agreement in regard to the Shanghai dispute. Britain postpones her next payment of interest on War Debts to the U. S. A. The coming Ottawa Conference is sought to be made an occasion for efforts to organise an Empire economic unit. M. Paul Doumer, French President, is shot at and seriously wounded by a Russian doctor. A potential supply of radium of great value is discovered in Canada. The U. S. War Department reduces their estimates for 1933 by £11,800,000. Senator Borah, in the U. S. Senate, outlines suggestions for the economic recovery of the world. British Government's policy towards India remains unchanged, says Sir S. Hoare. Mr. Thomas is heckled during the dispute over the Irish Oath Bill in the House of Commons. The Indian Press is responsible for "keeping up mistrust alive," says London "Times". The London Chamber of Commerce expresses concern at Indian events; according to it trade is in danger.

MAY 7, 1932.

Indian—Details of the scheme for harnessing the Tungabhadra river for irrigation purposes are published. The Bombay Government sanctions the formation of an Irrigation Advisory Committee. The Punjab Council passes motion demanding reduction of land revenue dues. Five members of the Indian Central Franchise Committee sail for England. Bhai Parmanand denounces Congress policy in course of his speech before the Hindu Youths' Conference at Karachi. Acute depression prevails in the rubber industry in Travancore. Two members of the Consultative Committee of the Round

Table Conference issue a joint statement appealing to the Home Government and the Government of India to make an early announcement on the communal question. Jute crisis and Government's intervention is the subject of a statement by the Secretary, Jute Growers' Association in which the policy of the jute mills is termed suicidal. Congress President condemns the murder of the Midnapore Magistrate, Mr. R. Douglas. Dr. Ambedkar attends the All-India Depressed Classes Congress at Nagpur under police protection. Units are selected for Indianisation of the Army. Muslim demands are extravagant and unreasonable, says the Bihar Hindu Sabha. Sulphuric acid is discovered in post-boxes at Lahore. The Police Commissioner wants undertaking from Bombay merchants for closing shops during hartals.

Foreign—No "unscrupulous propaganda" is done in India, says Dr. Privat in a letter to the "Times" of London refuting Sir S. Hoare's charges. American statesmen pay tribute to Britain's economic recovery. His Majesty the King decorates Sir Stanley Jackson with G. C. S. I. The Buresch Cabinet in Austria resigns. The U. S. Senate Finance Committee imposes a duty of five cents on imported rubber. French President Doumer dies of the shot wounds received by him under circumstances already reported. Sir William Vincent regrets that the first Round Table Conference decisions were given the go-by.

MAY 8, 1932.

Indian—Mymensingh District Jail walls collapse against a violent gale resulting in warders and prisoners being wounded and killed. At a Conference at Bombay, the Princes and their Ministers decide to stand firmly by Federation. The Imperial Indian Association of Bombay addresses a letter to the Government of India on the Capetown Agreement. The Police firing at Allahabad on 8th and 9th April last is justified by the Divisional Commissioner. The Rajah-Moonje Pact is reported to have been adversely criticised at the All-India Depressed Classes Congress held at Nagpur, oppositionists being put down with Police help and supporters of joint electorate being gagged. The members of the Franchise Committee sail for England; Mr. Butler and Major Milner uphold dual policy. The All-India Hindu Youths' Conference at Karachi concludes after registering a vehement protest against the proposed separation of Sind which it is stated will endanger the position of the Hindus in Sind. 3,000 workers down tools in Bharat Textile Mills. An Irish lady, Mrs. Jaffar Ali, is put on trial for harbouring Yashpal, an absconder in the Lahore Conspiracy case. The autumn session of the assembly is to begin in August. The Bengal Presidency Moslem League proposes to take up Swadeshi propaganda. Kashmir Hindus express resentment against the recommendations of the Glancy Commission. Additional armed police are stationed at Cawnpore, cost for which is to be borne by the citizens. Phanindra Das, the accused in Midnapore shooting outrage, vomits blood with sputum. Mr. Jamnadas Mehta makes a statement on the question of the proposed Railway Strike. Hearing is concluded in Dr. J. M. Das Gupta's case and judgment is to be delivered on May 13 next. The Private Secretary to the Governor of Bengal writes to the Secretary of the Dacca District Hindu Sabha that orders have been issued for the supply of plain white cloth without coloured border henceforth to Hindu widow prisoners. Mr. Maulanker protests against the confiscation of the Gujrat Sabha money. Begum Fatma Sharifa Izzet Pasha, a highly cultured and modern Arab lady, pays tribute to Mahatma Gandhi. The Jute Growers' Association, Bengal, views with alarm the impending jute crisis and suggests checks. Government sanctions the Dacca District

Board scheme for improvement of cattle. Relief measures are undertaken by Khulna people to relieve the recent Khulna tornado havoc. Dewan Diamal Daulatram, speaking on the separation of Sind, points out the under-estimates of the Irving Committee.

Foreign—The prospect of a two months' control by ordinary law in India on the expiry of the present anti-terrorist Ordinances is discounted in London. 500 persons are feared to have been killed by a typhoon in French Indo-China. The Tardieu Government is to resign as a result of defeat at the polls. At Shanghai, the Japanese evacuate the fighting area. On the question of duration of the Ordinances, Sir S. Hoare says that it is too premature to make a statement; circumstances prevailing in June will have to be considered. Sir S. Hoare expresses the hope that the Lothian Report will be published by the 1st of June, 1932.

MAY 10, 1932.

Indian—Mymensingh storm takes a heavy toll; the District Jail buildings collapse, and 26 are reported to have been killed and 100 injured. A 46 lakh scheme for the supply of filtered water to Trivandrum is proposed. The Bihar Co-operative Inquiry Committee's recommendations are published. The Moslem members of the Consultative Committee agree that its most important work can not be tackled until the Premier has brought forward his communal solution. Lord Lothian issues a statement appealing for a united effort to make the reforms a success.

Foreign—British Foreign Office makes representations to the Russian Government regarding the award to the Lena Goldfields Ltd., amounting to £13,000,000. A special address is being moved in Parliament in connection with the assassination of M. Paul Doumer. Violent anti-British outbursts characterise the Malta election campaign now in full swing. Britain, France and America are asked to renew their shares of the credit allowed to Germany for 3 months. Albert Le Brun is elected President of the French Republic in succession to late M. Doumer.

MAY 11, 1932.

Indian—Sir Michael Keane assumes charge of office as the Governor of Assam. The *Statesman's* Simla representative comments on a scheme for the allocation of the States' seats in the Federal Houses. In the Meerut trial the Defence counsel refers to financial help from Dundee for Bengal jute workers.

Foreign—France, Germany and Japan reply favourably to the British Government's proposals for a tentative agenda for the Lausanne Conference. M. Le Brun is stated to have made touching references to his predecessor M. Doumer, when elected as France's new President. The Japanese Government decides to withdraw all troops from Shanghai within a month.

MAY 12, 1932.

Indian.—H. E. Sir John Anderson arrives at Simla. The aims and objects of the Workers and Peasants Party are defended at the Meerut trial. The cabinet of H. E. the Governor of Bombay is retrenched. Maulana Shaukat Ali speaks on the communal problem at the luncheon given by the Welfare of India League, Bombay.

Foreign.—Mr. J. H. Thomas warns the Free State that if the Oath Bill is passed, British tariff concessions would be withdrawn. A Committee is formed in Manchester to reorganise Lancashire's cotton industry. It is stated in the Commons that the question of a reciprocal fiscal policy between

Britain and India would be discussed at Ottawa. Britain proposes the formation of a small expert committee to go into the whole problem of expenditure of the League of Nations. The British Government proposes to make representations to the Soviet Government on instances of anti-British propaganda in India. Tea and tobacco duties are increased in the Free State Budget. Siam goes off the gold standard in order to help the rice cultivation. At the Geneva Conference the inequality in Armaments is debated.

MAY 13, 1932.

Indian—In a sensational train dacoity at Dacca the Railway guard is shot at and injured and Rs. 32,000 stolen. A severe cyclone sweeps over a part of Ceylon. The future of Government High Schools is the subject of an informal conference in Calcutta. Expansion of India's sugar industry is anticipated in an official forecast of production. The Consultative Committee session is postponed. Dr. Kitchlew is arrested on way to Amritsar.

Foreign.—The average of wholesale prices is said to have declined in Britain in April by 2.2 per cent. As a result of the lowering of the Bank rate, British securities are said to have further appreciated. The police invaded the Reichstag and arrested four Fascist members who ignored the speaker's order to withdraw from the House. Mr. Lang, Premier of New South Wales, is dismissed by the Governor. Dr. Shafaat Ahmed, in a letter to the "Times", says that he cannot wait for full federal scheme.

MAY 14, 1932.

Indian.—The work of the Ross Institute, London, during 1931 is reviewed. The Punjab Government appoints a University Inquiry Commission with Sir George Anderson as President. Dr. Kitchlew is released and served with an order not to enter into the Lahore and Jullundur divisions. Official list of casualities in the Mymensingh Jail collapse is published. The Select Committee on the Bengal Municipal Amendment Bill makes important recommendations. In Hindu-Moslem rioting in Bombay, two are killed and 29 injured.

Foreign.—Discussion on the new Budget taxation creates angry scenes in the Dail. The French Government decide to tighten up their supervision of foreigners with a view to preventing political outrages like the assassination of M. Doumer. The Atlantic Shipping Conference in Paris reaches an agreement to prevent unfair competition. Sir John Simon, during a discussion on disarmament in the Commons, dwells upon two of the main points. At an East India Association meeting Mr. Whitley dwells on the evils of money lending among Indian labourers.

MAY 16, 1932.

Indian.—The communal riot in Bombay continues; latest casualities number 51 killed, 620 injured. Thirty Congressmen are arrested at Wadala during the Salt Works raid. The Bengal Municipal Bill is further amended by the Select Committee. The Inspector of Mines gives a detailed account of the Bihar mica mine fire. The Railway Board seeks to revive railway earnings. A Delhi meeting of the Colonization Society outlines advantages of securing land in the United Provinces for the proposed Anglo-Indian colonization scheme. Convicts who escaped during the recent jail collapse in Mymensingh surrender. Five out of 24 accused are discharged in the Douglas Murder Case. Proposed 54 hour week is accepted in the Jute Mills agreement. The District Magistrate denies allegations of "excesses" against the Malabar Police. The Indian Princes meet in Bombay and discuss the future constitution.

Foreign.—The Bank of England announces the purchase of over £2,000,000 in bar gold. Great tension is reported in Malta where steps are being taken to prevent election disorders. Mr. Inukai, Japan's Premier, dies following an attack by a man who shot him with a revolver. Mr. de Valera is said to be confident of the future in regard to the Free State problem.

MAY 17, 1932.

Indian—Thirty-two persons, including 6 policemen, were injured in a minor disturbance in Calcutta on the Mohurrum day. Assam's financial problem presents a depressing outlook. Assam is stated to have made a marked progress in cattle breeding. Orissa Committee's report is to be published on May 26, 1932. Bombay riots still continue; casualities up-to-date are estimated at 75 killed and 820 injured. The Princes' demand for equal representation in the Upper Federal House, as disclosed in a statement after the Bombay meetings, leads to much unfavourable criticism in official and political circles in Simla. Mr. Sastri, in a statement, condemns the "undue" hesitancy of the Princes.

Foreign.—Mr. Ramsay MacDonald, whose eye is progressing favourably, will leave for Lossiemouth on holiday to-morrow. The formation of a National Government in Japan is said to be the likely outcome of the assassination of the Premier Inukai.

MAY 18, 1932.

Indian—Bombay riot spreads to the industrial area where 40 mills close down; total casualities up to midnight are reported as 96 killed, 918 injured. Measures taken by the Government for relieving distress in Nadia during the four months of 1931 are published. Defence counsel in the Meerut case denies that the Labour Conference held in 1928 in Calcutta aimed at capturing the Congress. The first meeting of the Frontier Legislative Council is held at Abbottabad. Calcutta Corporation discusses the question of the motor car which is being manufactured for the Corporation. An official announcement is made on the basis of agreement to end dispute in the jute industry. The U. P. Government demands security of Rs. 1,000 from Saraswati Press (Benares). Constables who were proceeded against for alleged ill-treatment to women volunteers at Benares are acquitted. The U. P. Government is said to have made considerable revenue remissions. The statement issued by the States' meeting in Bombay with regard to the question of allocation of seats and the relation between the States and the Federal Legislature is criticised.

Foreign—English daily newspapers are to be exempted from the new Irish Free State newspapers tax. The Premier, Mr. MacDonald, leaves the nursing home and returns to Downing Street. The New Zealand Premier states that the Singapore base is to be completed. The Japanese capture the principal rebel base in Manchuria where 35 Japanese have been massacred. The "News Chronicle" and the "Daily Mail" speak of the need of settling the communal problem.

MAY 19, 1932.

Indian—Governor of C. P. receives slight injuries by a fall at Pachmarhi. Communal riot in a Gurdaspur village in the Punjab results in 26 injured. Mrs. Jaffar Ali is sentenced to 5 years' R. I. at Allahabad for harbouring an absconder (Yashpal). The aims and objects of the Workers' and Peasants' Party are defended in the Meerut Conspiracy case. More murders are reported in Bombay riots; total number killed is 115.

Foreign—Government business permitting, Mr. de Valera, it is stated, will go to Ottawa Conference. Compared with the corresponding periods of 1931 and 1924, trade returns for the first quarter of 1932 reveal a marked increase in the trade between Britain and other British countries. A letter to the "Times" from Miss Cornelia Sorabji deals with the attitude of Americans to the Indian situation. Approximately 100 new enterprises have been or are in the process of being started in Britain, the majority of which are from foreign countries. A report to the League of Nations alleges that 150 people have been killed through military action on the Kru Coast by the Siberian authorities. Army chiefs in Japan succeed in obtaining their demand for a National Cabinet.

MAY 20, 1932.

Indian—Mr. Bipin Chandra Pal dies at his Calcutta residence. The Frontier Legislative Council discusses its Budget. Riot situation in Bombay is said to have been brought under control. Results of the States' meeting in Bombay are further discussed and views change and differ. Trade union activities are defended in the Meerut trial.

Foreign—Lord Lothian suggests that the Government and Parliament should decide about the new India Constitution with the least possible delay. The "Times" gives a very pessimistic forecast of the grave economic crisis in America. The British Baird system carries out in Paris a successful experiment in two-way television telephony. The Japanese Press and the public view with calm the incursion of the Army into politics. The Irish Free State Dail passes by a majority of 8 votes the Bill to abolish the Oath of Allegiance. The Chinese Communists capture a British missionary.

MAY 21, 1932.

Indian—Activities of the rebel outlaws in Burma are recorded. The Frontier Council concludes general debate on the Budget when the Government replies to critics. The Bengal Chamber of Commerce comments on the Indian delegation to Ottawa. The Indian Chamber of Commerce objects to one of the terms of reference to the Tariff Board in the proposed inquiry into the question of protection to the cotton textile industry. Bombay riots practically cease. Seth Ranchhodlal, who presided over this year's session of the Congress at Delhi, is sentenced to 9 months' R. I. for violating a restraint notice. The Indian Association wires to the Secretary of State and the Viceroy, disapproving of the proposed piece-meal establishment of the reformed constitution. Bihar's financial outlook, as foreshadowed by the Federal Finance Committee, is commented upon in the Press. Ramchandra Bapat, the assailant of Mr. Gibson, Commissioner of Ajmer, is sentenced to 10 years' hard labour.

Foreign—Mr. J. H. Thomas, in a speech at Hove, makes a plea for Anglo-Irish friendship. The Irish Free State Government is still ready to attend the Ottawa Conference. Kreuger's personal debts and indirect liabilities are estimated at £45,020,000.

MAY 22, 1932.

Indian—A security of Rs. 3,000 each is reported to have been demanded from the printer and publisher of the Bombay Chronicle to be paid before May 31; the demand is stated to have been made in respect of an article by Mr. B. G. Horniman in the evening edition of May 17 last relating to the Bombay communal riots.

Foreign—A message from Madrid states that anarchist outrages have been frustrated by the police.

MAY 23, 1932.

Indian—The total capital liabilities of provincial Governments to the Provincial Loans Fund stood at over Rs. 150 crores on March 31, 1931. Hindus and Moslems fight in Allahabad. Bombay resumes normal conditions and the history of the communal riot is officially summarised. The Salt Conference, it is stated, is to begin in Simla to-day. An official statement is made on the flogging of prisoners in Karachi.

Foreign—The City Correspondent of "Times" discusses the possibility of war-loan conversion at an early date. Sir Samuel Hoare declares in the House of Commons that the Congress "volunteers" during the Bombay riots were "a public danger and a public nuisance." Japan endeavours to arrange a Five Power Conference to discuss the situation in China. Mr. de Valera replies to Mr. J. H. Thomas.

MAY 24, 1932.

Indian—The Select Committee makes two important changes in the Bengal Municipal Amendment Bill. Congress plans to hold the Kisan Conference at Allahabad are frustrated by the police. Mr. Stapleton, the Station Director of the Indian Broadcasting Service, discusses broadcasting problems in course of an address to Calcutta Rotarians. A cyclonic storm breaks out in parts of East Bengal and houses at Noakhali are blown away into the river. Bombay is quiet again with military posted in the riots area.

Foreign—Devastating floods occur in Britain; towns and villages are isolated and four persons are reported to have been drowned. In his Empire Day Message, Canada's Premier deals with the question of the revival of trade and the possibilities of the Ottawa Conference.

MAY 25, 1932.

Indian—The Orissa Boundary Committee's report is published; it shows that the Province of Orissa can be created with an area of approximately 33,000 sq. miles and a population of 8,277,000 persons. Bengal leper population is said to be on the increase, being 34 per cent. more than ten years ago. The Government takes its stand against the quota system at the Salt Conference at Simla where the fear of monopoly in the industry became a live issue. The smaller States resent the distinctions made in the proposed Federal Legislature between them and the bigger States, and the Raja of Sarila, in a statement on the R. T. C. and the Consultative Committee, draws attention to the matter. The Opposition group, with Nationalist members, walk out of the Frontier Council during the debate on grants for Police. 390 "Red Shirts" are released from Haripur Jail. The U. P. Depressed Classes repudiate the Rajah-Moonjee Pact.

Foreign—Sir Basil Blackett, speaking at the East India Association, dwells on India's future financial problems. The U. S. A. enters into agreements with debtor European countries regarding repayment of war-debts. Mr. de Valera's reply to Mr. Thomas on the land annuities issue is to be dispatched this week. The Kreuger and Toll Co. file petition of bankruptcy. Chile bitterly resents the new U. S. tariff on copper imports. Events in the Far East are apprehended to lead towards the Soviet-Japanese clash. The British Premier condemns the Congress as impeding the Indian settlement.

MAY 26, 1932.

Indian—Rioting breaks out afresh in Bombay and 3 are reported to have been killed and 6 injured. The International Labour Conference adopts a draft convention imposing restrictions on the employment of children in non-

industrial concerns. During the quarter ended March 31, 1932, there were 25 industrial disputes in British India, involving 42,170 men and 332,345 days. Sir George Schuster tells the Salt Conference that to safeguard India's interests is the paramount duty of the Government. 169 candidates apply for the October competitive examination for the Indian Military Academy. Hindus approve of the Bengal Moslems' solution of communal problem. India's trade in April shows a rise in imports. The Frontier Council discusses the demand for introduction of pipe system to remove water scarcity. The C. P. Government proposes to introduce a Bill in the August session of the local Council to amend the C. P. Medical Registration Act of 1916.

Foreign—A British cotton industry delegation is to proceed to Canada immediately to discuss tariff preference with the principal manufacturing concerns. Jews and Arabs fight in Aden and 50 are more or less severely injured. The Nazi candidate gets elected to the Presidentship of the Prussian Diet. The political crisis in Japan ends with the formation of a National Cabinet. The Oath Bill is denounced in the Irish Senate. Britain is to sign an agreement with the U. S. with regard to war-debts arrears.

MAY 27, 1932.

Indian—The Frontier Council discusses the demand for extension of the co-operative movement in the Frontier Province. The U. P. Government issues a communique on the acquittal of the constables charged with assaulting women Congress volunteers at Benares. The report on appropriation accounts of the Central Government reveals defalcation and fraud cases. Mr. P. N. Tagore of Calcutta cables to the Premier the views of the Bengal landholders about the Reforms.

Foreign—The new Premier of New South Wales, Mr. Stevens, proposes, among other things, to repeal Socialist legislations in the State. The German Ambassador in Washington signs agreement in regard to arrear of Germany's war-debts. Sir Hugh Stephenson, at the Calcutta Dinner in London, points to the failure of amnesties to deal with the terrorist movement in India. A British engineering combine is formed to carry out public works in China. The aims of the New Zealand Delegation with regard to the Ottawa Conference are published. Crisis prevails in the London coal industry where miners are dissatisfied.

MAY 28, 1932.

Indian—A new Ordinance, to replace the Emergency Powers Ordinance, is promulgated. Rare paintings are discovered among the Ajanta frescoes. The Senate of the Calcutta University accepts proposals for re-appointment on permanent basis of members of the post-graduate teaching staff. Jail life in India during 1930 is officially reviewed. Punitive police are stationed in a Bihar village. It is stated that at the end of April, 1932, there were 32,524 political prisoners in Indian jails.

Foreign—Major W. Elliot, Financial Secretary to the Treasury, states in the House of Commons that there was a deficit of about £200,000,000 in Britain's war-debts and reparations payments to the U. S. and Britain's receipts in this connection from the Allies. Heavy rains cause renewed flood-havoc in the north of England and the Midland. Mr. L. S. Amery, at a meeting of the Oxford University Conservative Association, predicts the financial collapse of Europe at an early date. The Experts' report on naval disarmament reveals that the Powers are divided on the question of the use of capital ships, aeroplane carriers and submarines. The United States ships a record consignment of gold to Europe.

MAY 29, 1932.

Indian—In a general round-up of Congressmen at Nagpur, several arrests are reported to have been made. The All-India Swadeshi day was observed throughout India.

MAY 30, 1932.

Indian—The Minister for Local Self-Government, Bengal, issues a statement on changes made by the Select Committee in the Bengal Municipal Amendment Bill. Two youths are arrested at Howrah in connection with a bomb explosion. Ten persons are killed and 150 are injured in a further outbreak of communal rioting in Bombay. The Council of the All-India Moslem League stresses the need for an immediate decision by His Majesty's Government in the matter of Moslem representation in the Legislatures under the new Constitution.

Foreign—Sir Samuel Hoare, Secretary of State for India, states in the House of Commons that the recommendation of the Simon Commission, that the defence of the North-West Frontier should be an Imperial liability, or the suggestion that Dominions should contribute towards its cost cannot be discussed at the Ottawa Conference. At Lausanne, Britain proposes to press to the utmost for consideration not merely of War Debts and Reparations but the bigger problem of dwindling international trade, says Mr. MacDonald in an interview. A second aerial expedition is said to have been planned for the study of cosmic rays. The resignation of Dr. Bruening from the German cabinet thickens the German crisis on the eve of Lausanne. The European Governments anxiously await the policy of the new French Government. The German Chancellor appeals for world co-operation in the solution of the unemployment problem.

MAY 31, 1932.

Indian—As a result of the recent cyclone in the Malabar Coast, 16 people are reported to have been killed and hundreds of huts and trees destroyed. A Special Tribunal is appointed for the trial of Prodyot Kumar Bhattacharjee arrested in connection with the murder of Mr. Douglas at Midnapore. The Calcutta Rotary Club discusses the advisability of legislation designed to stop immoral traffic in Bengal. About 1,000 operatives of the Landsdowne Jute Mills go on strike. Bombay riot persists. The Government of India intend to appoint expert advisers to assist the delegates to the Ottawa Conference. The Government of Bengal issues a communique on the recent cyclone at Mymensingh.

Foreign—Discussions are proceeding in London in regard to possible American participation in some form of international conference. Question is asked in the Commons regarding the demand for security from the Bombay Chronicle. Mr. Walter Runciman moves in the Commons the second reading of the Coal Bill. Uganda heads the list of Empire cotton-producing countries.

JUNE 1, 1932.

Indian—*Statesman's* special correspondent at Simla discusses the grant of allowances to State prisoners. The Nanga Parbhat climbers reach Astor. The riot situation in Bombay marks considerable improvement, traffic being resumed in the affected areas.

Foreign—President Hindenburg selects Herr von Papen to form the so-called "National Concentration" Cabinet. The finances of the United States show an estimated deficit of £57,000,000. Well-informed circles

dismiss the rumours that the German political situation may cause a postponement of the Lausanne Conference. The French Socialist Party Congress lays down conditions for its participation in forming any Government in France. Speaking at the Africa Society Dinner in London, Sir Philip Cunliffe-Lister pleads for sympathetic treatment of the coloured people.

JUNE 2, 1932.

Indian—The Indian Franchise Committee publishes its report wherein the electorate of British India is proposed to be raised from 7,000,000 to 36,000,000. Mr. A. H. Ghuznavi and Sir Abdullah Suhrawardy issue a statement to the Press in regard to Bengal Moslems' views on the electorate question. The Chairman of the Kashmir Constitutional Reforms Conference publishes his main recommendations. To-day's casualities in the riots in Bombay are five injured from stabbing assaults.

Foreign—In the House of Lords Earl of Iddesleigh draws attention to the practice of claiming income-tax from persons holding military or civilian Government appointments in India and the Colonies who reside for more than 6 months in Britain when on leave. Sir John Simon makes an important statement in the House of Commons on the American proposal for an International Economic Conference. The Powers are being consulted in regard to the proposed World Economic Conference. Economy measures and higher taxes balance the U. S. A. Budget. Earnest hopes that the Soviets will repose greater confidence in Japan by discontinuing the concentration of troops on the Far East and the declaration that Japan does not desire to annex Manchuria are, according to a Tokyo message of the Reuter, features of the statement of Japan's new Premier Viscount Baron Saito.

JUNE 3, 1932.

Indian—The riot situation in Bombay is quiet but nervousness continues, business centres and cloth markets remaining closed. The official circles at Simla are said to be generally well-satisfied with the award of honours, but the members of the Assembly and other public men are struck by the singular absence in the present Honours List of awards for public service to men in public life of India. The President-elect of the Punjab Political Conference to be held to-morrow at Amritsar is served with a notice restraining his movements and asking him not to leave the limits of the Lahore Municipality till June 6, 1932; according to the arrangement so far made, the President-elect leaves Lahore this afternoon by the Howrah Express. The King Emperor's Birthday anniversary is celebrated in a befitting manner at Simla, Darjeeling, Shillong and other places.

Foreign—Commenting on the Franchise Committee's report, the British Press pay tribute to the work of the Lothian Committee. More than 60 people are reported to have been killed in Mexico's worst earthquake for ten years. Advance copies of the speech expected to be made to-day in the Japanese Cabinet by Viscount Saito, the new Premier of Japan, are said to have been circulated in London last night by the Japanese embassy. In his speech, Premier Saito is reported to have scouted the idea that Japan is declaring war against Russia and to have concluded with an appeal to his people not to be misled by rumours regarding the danger of war between Russia and Japan. von Papen confers with the President of the Reichsbank, Herr Luther, on Germany's financial position. That Burma's interests lie in carrying on her own work in her own way, rather than in associating herself with the country from which she differs in so many respects, is the view expressed by Lord Peel at the annual Burma Dinner in London. Sir Dorabji Tata dies this morning in a sanatorium at Badkissingen in Germany.

JUNE 4, 1932.

Indian—The strength of the Bombay Government's Cabinet is reduced to four. Sir B. N. Mitra emphasises the value of India's association with the International Labour Office. Simla comments on the report of the Lothian Committee. In a communal riot at Pundri in the district of Karnal three are killed and 30 injured. Captain Alan Eadon accepts the post of Deputy Director of Civil Aviation in India.

Foreign—The Irish Senate passes the second reading of the Oath Bill. The German Cabinet decides to maintain the Gold Standard. The Italian Government decides to open a training centre for tans-oceanic fliers in Rome. Personnel is announced of the new French Cabinet formed by M. Herriot. The International Oil Conference in New York fails to arrive at any decision. The Dail approves the Free State Budget. Lord Strickland issues an unreserved apology to the bishops; and the Malta dispute is now considered at an end. Speaking in the Senate in Rome, Signor Grandi is stated to have said that Italy was prepared to disarm, even to the zero point, provided the other nations did likewise.

JUNE 6, 1932.

Indian—The riot situation in Bombay shows signs of improvement though stray assaults still continue. The police disperse the District Political Conference at Noakhali, Bengal. The Railway Board makes its decision on the report of the Railway Court of Inquiry. At a public meeting at the Dalhousie Institute, Calcutta pays tribute to the sincerity of British statesmen in regard to the reforms in India.

Foreign—Mr. de Valera invites the British Government to a preliminary discussion in Dublin on the present difficulty between the two countries in connection with the Ottawa Conference. Over 400 people are reported to have been either killed or injured by earthquake in Mexico. A junta of three, favouring a Socialist Republic, have seized power in Chile after an almost bloodless revolution. Plot to murder Mussolini is once more frustrated by the arrest of a man with two bombs, a pistol and a false passport. The new Government in Germany categorically denies the rumoured resignation of President Hindenburg to be succeeded by the Crown Prince. Lord Rothermere thinks that the Hohenzollerns are going to return to power in Germany.

JUNE 7, 1932.

Indian—The Vice-Chancellor of the Allahabad University issues warning to students against participation in political demonstrations. Following a disturbance in Fatehpur Jail, officials open fire killing one and injuring several. The Assembly Select Committee's main proposals regarding the three Bills relating to Haj pilgrimage are published.

Foreign—British bondholders are badly hit by the inauguration of the Socialist regime in Chile. Mr. Thomas and Lord Hailsham arrive in Dublin and the Cabinet Committee dealing with the Anglo-Irish controversy meet and decide to accept the invitation to a preliminary discussion in Dublin. The British Premier and Sir John Simon leave London for Paris en route to Lausanne at the end of this week.

JUNE 8, 1932.

Indian—A Committee appointed by the Senate of the Calcutta University recommends the conducting of examinations in all subjects other than English in vernaculars. The Mysore Representative Assembly passes the

Child Marriage Restraint Act by 98 votes to 87. Shops re-open in Bombay City which returns to normal conditions. At the quarterly meeting of the Bengal Chamber of Commerce in Calcutta the necessity was urged of developing the sugar industry of Bengal.

Foreign—Mr. J. H. Thomas and Lord Hailsham hold discussions in Dublin with Mr. de Valera and the Free State Minister of Justice. Death is reported of Viscount Brentford, popularly called "Jix." Britain celebrates the passing of the great Reform Bill of 1832. Mr. C. F. Andrews interviews a number of Cabinet Ministers in London on whom he has urged the desirability of peace in India by negotiation. The new Manchurian State takes over the collection of the customs from the Chinese authorities. The New Zealand Premier, Mr. G. W. Forbes, decides not to go to Ottawa. The new French Premier's declaration of policy, both home and foreign, is said to be vague and in parts enigmatic. Mr. J. D. Rockfeller, the millionaire supporter of the "Dry," declares for the repeal of the Prohibition Law.

JUNE 9, 1932.

Indian—The Working Committee of the All-India Moslem Conference at Simla considers the report of the Indian Franchise Committee and the Federal Finance Committee. Two witnesses give evidence in the Douglas Murder trial before a Special Tribunal at Midnapore. A tentative scheme for a public school in India on the lines of the English public schools is approved of by the promoters in a meeting held in Simla.

Foreign—The anomalous decisions of the Free State Senate on the Oath Bill leads to a deadlock. Mr. de Valera informs the Free State Senate that the Government has not changed its attitude towards the Oath Bill. "Ulster is not and never has been for sale," declares Lord Carson, referring to the Anglo-Irish talks now going on. The Premier and Sir John Simon proceed to Paris on the invitation of the new French Premier for preliminary conversations before the opening of the Lausanne Conference. London merchants discuss the effect of the tariff restrictions on trade. Sir Samuel Hoare assures the members of the I. C. S. that their rights would in no way be affected by the prospective changes in the Indian Constitution. In a speech at a launcheon in London, Sir Atul Chatterjee refers to India's economic difficulties and her hopes and aspirations at Ottawa.

JUNE 10, 1932.

Indian—The Report of the Director of Railway Audit shows various irregularities resulting in loss to railways. The situation in Bombay is reported to be normal and more than a thousand hooligans are reported to have been rounded up. Leading Moslems issue a manifesto to the British Press on the communal issue in its bearing on the India constitution. The Governor of Bengal frames rules to deal with the terrorist movement.

Foreign—The Anglo-Irish negotiations, opened in Dublin and continued in London, break down. Mr. de Valera is given a rousing welcome by London Irishmen on his arrival at Easton. The King and the Queen receive the young Maharaja of Nabha. Britain would welcome discussion of an Imperial monetary policy at Ottawa, says the Chancellor of the Exchequer. Following the deposed Emperor's escape from jail, Abyssinia is said to be threatened with trouble.

JUNE 11, 1932.

Indian.—Educational progress in the U. P. is reviewed. The Punjab Government sanctions further remissions in land revenue and occupiers' rates to the extent of Rs. 43 lakhs. A Government communique says that

the threatened crisis in water supply for irrigation in U. P. has ended. Charges of conspiracy and abetment of murder are framed against Prodyot Kumar Bhattacharjee, who is accused in connection with the murder of Mr. R. Douglas. The Citizens' Guard, a voluntary band of workers organised by the Bombay Citizens' Conciliation Committee, starts patrolling the troubled localities, appealing to people to resume normal business. The cost of India's new Legislatures is likely to increase by about Rs. 65 lakhs. After two days of quiet and peace, communal disturbance breaks out again in Bombay.

Foreign.—H. H. the Aga Khan amends the text of the Moslem manifesto sent to him from India for publication in England. Winding up the debate on the third reading of the Finance Bill in the House of Commons, the British Chancellor of the Exchequer denies the suggestion that fresh taxation was likely in autumn. Representatives of the British and the Irish Free State Governments fail to arrive at an agreement and Mr. de Valera leaves for Ireland. Protesting against the "political complexion" of the President's (Sir Henry Lawrence) speech, guests at the Bombay Dinner in London walk out.

JUNE 12, 1932.

Indian.—The playing of music before a mosque leads to a minor clash at Cawnpore. Bombay riot persists.

JUNE 13, 1932.

Indian.—The District Magistrate and the Superintendent of Police of Faridpur are bombed in a train at Rajbari, Faridpur, but the bombs hit an empty compartment. Heavy rain is reported from Chittagong where two persons are said to have been injured when a house collapsed. The fifth half-yearly meeting between the Railway Board and the Union representatives begins in Simla. Dr. B. S. Moonje sails for England to put forward the case for the Hindus. The Meerut case is adjourned following the refusal of Sj. Gopal Basak to be represented by a lawyer during his absence, through illness, from Court. Captain Cameron of 2|8th Gurkhas and two terrorists are reported to have been killed in an action between the military and the terrorists near Chittagong.

Foreign.—A new coal fuel claimed to be cheaper than oil is being tried out in the Cunard liner "Scythia". Mr. Burbury, ex-President of the Bombay Board of the Imperial Bank of India, makes suggestions for a solution of the silver problem. Cotton workers in Lancashire decide to hold another ballot on the question of strike or negotiations. A Berlin report states that Germany intends to inform the Lausanne Conference of her inability to pay further reparations. President Hoover informs the Congress leaders that the present economy proposals are not sufficient to balance the U. S. Budget. The new Chilean Junta raids the money exchanges.

JUNE 14, 1932.

Indian.—Twenty-two deaths from heat-stroke are reported from Cawnpore and sixteen from Lucknow. The Working Committee of the All-India Moslem League give their views on the Franchise and the Federal Finance Committees' reports. The names of the official advisers to the Indian delegation to Ottawa are announced. A tribunal, it is understood, will be appointed to examine the possibility of amending the capitation charges and the incidence of expenditure on Indian defence. Mr. D. N. Sen, Sub-divisional officer of Contai, is cross-examined on his evidence in the Douglas Murder trial at Midnapore.

Foreign.—In the House of Commons the Secretary of State announces that the question of capitation charges and incidence of India's defence expenditure would be referred to an advisory tribunal. Britain issues a stern warning to the New Chilean Government regarding their confiscation of foreign banking deposits. Sir Samuel Hoare makes a statement on the situation in India during the past week. The Archbishop of York and several of his colleagues in a letter to the Press express their profound disappointment that up to the present no progress is being made at the Geneva Conference towards serious disarmament. Asked whether it is now proposed to conduct further negotiations with the Irish Free State Government on the subject of preparation for Ottawa, Mr. Thomas states in the House of Commons that further communication is likely to be received from the President of the Executive Council of the Irish Free State.

JUNE 15, 1932.

Indian.—Mr. Jamnadas Mehta, President of the All-India Railwaymen's Federation, says that before taking a final decision for direct action for which they have a mandate they would await the Railway Board's decision on two major suggestions regarding compulsory leave by rotation and borrowing from the depreciation fund with the object of reinstating the employees discharged last year and avoiding further discharges. Bengal Council's life is extended and a meeting of the Council is fixed for August 1, 1932.

Foreign.—The Maharaja Jam Sahib of Nawanagar makes a suggestion for an immediate conference between businessmen of Britain and India to frame a policy of benefit to both countries. The outstanding balance of £3,604,000 of India 6 per cent. Bonds, 1931-33, issued in February, 1930, is repaid in London. Mr. de Valera, it is stated, will head the Free State delegation to Ottawa. The main work of the Disarmament Conference is temporarily suspended. A League Official leaves London to investigate the charge of misgovernment against the Liberian Government. The Liberals meet with an overwhelming defeat in the Newfoundland elections. An emergency decree enables the new German Cabinet to balance its Budget.

JUNE 16, 1932.

Indian.—The official review of Currency operations in India shows a fall in commodity price, stated to be an effect of the abandonment of the Gold Standard. The European Association of Madras prepares a consolidated scheme of broadcasting for the whole Presidency to be undertaken by the Government. The Madras Branch of the European Association passes resolution on the question of European representation in the new Legislatures. The final decision on the communal problem is expected to be announced by the last week of July or the first week of August. Attempt to hold this year's session of the Bengal Provincial Conference leads to about 100 arrests in Calcutta. In reply to the Friends' Conciliation Group Gandhiji says that he is unable to make definite proposals without a free interchange of views with Congress colleagues.

Foreign.—In course of his speech at the annual I. M. S. Dinner Sir Samuel Hoare assures the I. M. S. people that for them a great future lies under the new Constitution. Sir Robert Horne, speaking on currency problems, says that the best solution will be to unite gold with silver as the basis in which the world's business may be conducted. The British Premier denies reports of discussions contemplating the stabilisation of armaments. The South African Legislature passes the Transvaal Asiatic Tenure Bill. In his presidential address at Lausanne Mr. MacDonald stresses the gravity of the catastrophe threatening every nation over the world trade depression.

JUNE 17, 1932.

Indian.—The U. P. Council passes the Bill, introduced by Mrs. Srivastava, to provide for more adequate representation of women in the Local Boards. The Ahmedabad Millowners' Association refers to the growing competition of Lancashire goods. Notice is given of a motion before the ensuing session of the Bombay Council, urging a Government enquiry into the causes of the Bombay riots which still continue.

Foreign.—Mr. J. H. Thomas makes a statement in the House of Commons on the negotiations recently held between the British and the Free State Governments on the Oath and the Land Annuities questions. Argentina cuts the duty on whisky by 50 p.c. A counter-revolution in Chile succeeds and is followed by the capture of the " Red " rebel chief, Colonel Grove.

JUNE 18, 1932.

Indian.—Prosecution evidence is not sufficient to prove the charge, argues the Counsel for Adhikari in the Meerut trial. Sir Tej Bahadur Sapru urges British statesmen to go ahead with the Premier's policy and introduce a single India Bill for responsibility in the Centre and the Provinces. Sir George Schuster expresses his views on the present economic situation in India. Two Moslem leaders of Bengal, viz., Sir Abdulla Suhrawardy and Mr. A. K. Ghuznavi, comment on the report of the Indian Franchise Committee. From the beginning of the next month the Government of Bengal intends to put in operation a comprehensive scheme of physical education which, it is stated, will leave nothing to chance in developing a strong and healthy race of Bengalis.

Foreign—Mr. de Valera declares in the Dail that, until Britain has established her right to get the land annuities before a Court, the Irish Free State means to hold these monies. Over 300 rubber estates in the Dutch East Indies are reported to have completely stopped tapping since April 30 last. Nationalists obtain 21 out of the 32 seats on the Malta Assembly elections.

JUNE 19, 1932.

Indian—The Madras Branch of the European Association protests against the proposed disbandment of the remaining battalions of the Madras Pioneers—the last remants of the Madras Army. A deputation of the taluqdars of Gujrat waits on the Governor of Bombay and presses their claims under the new Constitution. The Sind Hindu Conference concludes after passing eight resolutions, of which one strongly protests against the Separation Scheme. There should be perfect liberty to any member of a community, conceded a separate electorate, to decide in favour of being in the joint electorate by a declaration of his desire to that effect, says Sir Chunilal Setalvad in a statement to the Press.

JUNE 20, 1932.

Indian—Arguments begin on behalf of Mr. Spratt, an accused in the Meerut Conspiracy case. The Viceroy abandons his monsoon tour owing to pressure of public business. Sir Tej Bahadur Sapru and Mr. Jayakar leave Simla having concluded with the Viceroy their conversations whose effect is said to be wrapt in a cloud of reticence. Anti-separationist leaders of Burma make a joint representation to the Chief Secretary to the Government of Burma urging preparation of fresh electorate rolls as the existing rolls contain many mistakes. Films entitled topical of Mahatma Gandhi and others are banned in Delhi Province.

Foreign—The New South Wales elections result in a complete triumph of the Coalition administration. A number of Associations in Ceylon demand grant of Dominion Status to the island colony. Martial law is reported to have been declared in Chile where the military are operating the railways owing to a strike. "Talks" at Lausanne are reported to be "promising." M. Herriot tells his colleagues in the Cabinet that the atmosphere at Lausanne was one of general determination to reach an agreement. The programme of work for the Lausanne Conference is considered by the delegates of the six inviting Powers and the full Conference is expected to be resumed to-morrow.

JUNE 21, 1932.

Indian—The Government of India holds that instructions issued by the Chief Commissioner of Ajmer-Merwara regarding the treatment of Bengali detenus at Deoli are in terms of Sir James Crerar's undertaking in the Assembly, namely, that conditions obtaining in Bengal in respect of diet and other conditions of detention would be reproduced, as far as possible, for Bengali detenus outside their province. Rebellion in Pegu, it is stated, is likely to end following the quick response to the latest offer of clemency, announced by the Deputy Commissioner of Pegu. The Director of Civil Aviation in India publishes a financial review on the working of the Indian State Air Service from December 1929 to March 31, 1932, as an appendix to the Appropriation Accounts of the Central Government, and scrutinising the accounts the Director of Commercial Audit says that the operation of the Service resulted in a loss of about six lakhs. The Tariff Board contemplate plans to protect Bombay's textile industry which continues to be in a bad way with the stock considerably gone up and the price of cloth steadily declining. Stray assaults still continue in Bombay despite a temporary truce in the communal war. The Crown Counsel argues the Douglas Murder Case before the Special Tribunal at Midnapore.

Foreign—Replying to a suggestion for drawing up new electoral rolls for Burma, Sir Samuel Hoare says that the present rolls, when amended, would be no less complete. The Secretary of State, in the Commons, declares his inability to say when the communal award would be announced. Colonel Grove, the Chilean airman rebel chief, is deported to the "Robinson Crusoe" island of Juan Fermandez. A Belgo-Dutch Agreement, providing for lowering of the Customs, is signed. Riots and disorders spread in Chile and arrangements to protect British nationals are being made. America declares her inability to sympathise with a highly-armed Europe. In order to deal with the shipping problem it is proposed to scrap tonnage in excess of trade requirements. The Imperial Economic Committee, on which India is represented by Sir B. N. Mitra, High Commissioner for India, observe that trade between the Empire countries should be stimulated, to the benefit of exporters generally in the less industrialised country, with a consequent increase of prosperity in which the specific industry would share.

JUNE 22, 1932.

Indian—The East Indian Cotton Association, at its meeting held in Bombay, is said to have stressed the necessity of restoring the freedom of trade. A representation to the Tariff Board makes a bitter attack on the managing agency system among Bombay Mills. The Special Tribunal at Midnapore reserves decision in the Douglas Murder case. Arguments on behalf of Philip Spratt and L. R. Kadam having concluded, Mr. Kemp, the senior Crown Counsel in the Meerut Conspiracy case, begins his summing up of the prosecution case.

Foreign—British troops are sent to Iraq from Egypt to curb the activities of a desert tribal chief. It is officially declared at Washington that the American Government have not entered into any negotiations on the debt question either at Geneva or at Lausanne. America lays down her disarmament proposals which are:—(1) reduction of all armaments by one-third; (2) abolition of tanks, chemical warfare and large mobile guns; (3) prohibition of aerial bombardment and the abolition of bombing planes.

JUNE 23, 1932.

Indian—Magistrates and Police officers in the Frontier are empowered under the Emergency Powers Ordinance, 1932, to arrest persons without warrants, to ensure public safety. The full text of Gandhiji's letter from jail to Mr. Bartlett of the Fellowship of Reconciliation is published by the Associated Press—the letter was said to have been incorrectly paraphrased in Reuter's Cable from London of the day previous. The Crown Counsel continues his arguments in the Meerut Conspiracy trial.

Foreign—The Prince of Wales pays a notable tribute to the rank and file of the Indian Police whose conduct throughout the recent troubles, he says, deserves the greatest praise. Lord Reading in a speech in the Lords deals with Britain's grave financial problems. Italy unconditionally accepts the U. S. disarmament proposals. Parties of Fascists and Communists fall out in Berlin resulting in riots. Japan is expected to oppose the American plan for drastic cuts in naval armaments.

JUNE 24, 1932.

Indian—The Government of India announces its decision regarding the tripartite division of the profits accruing from the customs realised from Cochin Harbour. Some of the smaller States in Kathiawar demand direct representation in the Chamber of Princes and the proposed Federal Constitution. The groundnut export trade of Madras marks a big drop. Before a Special Tribunal at Faridpur commences the hearing of the Angaria Mail Robbery Case. In reply to Government's circular inviting opinion on the question, the Bengal National Chamber of Commerce urges drastic economies in Government expenditure.

Foreign—Explosives expert pronounce the "Lloyd Bomb" to be an elaborate hoax. The French Press almost unanimously denounce the Hoover disarmament proposals, although Germany and Italy have received them favourably. The latest phase of the Lausanne discussions boils down to a joint scheme embodying the Danubian plans and those of the Great Powers. Lengthy conversations between British and French delegates at Lausanne on Reparations result in a tentative accord on four questions of principle which will now be discussed between the French and the German delegations. According to the report of the Census Commissioner, Malaya, Indians in British Malaya constitute 14 per cent. of the entire population as against 39 per cent. Chinese.

JUNE 25, 1932.

Indian—Bombay is proposed to be linked with Madras by extending the Grand Trunk telephone. Prodyot Kumar Bhattacharjee, charged with the murder of late Mr. Douglas, District Magistrate of Midnapore, is sentenced to death. The provisions of the Bengal Municipal Bill are discussed at a Conference in Calcutta. In the Meerut Conspiracy case the Crown Counsel explains the aims of the Communists in India. The alarm of the Western India National Liberal Federation that there may be a departure from the R. T. C. "method" is considered premature.

Foreign—The Free State Cabinet refuses Mr. J. H. Thomas's demand that the land annuities should be judged by a Commonwealth Tribunal. The decision of the Independent Labour Party to sever its connection with the National Labour Party is said to indicate a split in the Labour Party ranks. Japan sends a Note to China, protesting against the dismissal of the Japanese Commissioner of Customs at Dairen. Consequent on the failure of the German and the French delegates to come to any understanding, the Reparations Conference at Lausanne is held up.

JUNE 27, 1932.

Indian—Mr. Kamakhya Prasad Sen, Special Magistrate at Munshiganj, Dacca, is shot dead by an unknown assailant while asleep in the house of Mr. S. N. Chatterjee, Sadar Sub-Divisional Officer at Wari, Dacca. The Bengal Municipal Conference held in Calcutta rejects the Bengal Municipal Bill. The Secretary of State's statement on Britain's policy in regard to Indian reforms is said to have been favourably received in official and political circles in Simla.

Foreign—Sir Samuel Hoare makes a statement in the House of Commons reiterating the policy of the British Government in regard to Indian reforms and outlining the constitutional time-table. The British Cabinet Council discusses the progress of the negotiations at Geneva and Lausanne. Sir Samuel Hoare announces in the Commons that, on July 3, it is intended to assume in India, by a single Ordinance, the majority of the special powers which are about to lapse; the powers, it is indicated, would have a restricted scope. The Manchurian Government decides to take over all Customs stations except Dairen. Mr. Ramsay MacDonald is stated to have discussions at Geneva with members of the United States delegation.

JUNE 28, 1932.

Indian—The Government of Bombay pay a high tribute to the services of the Police, the Military force and the Magistrates during the recent communal disturbances. Mr. Kemp, Crown Counsel, describes, at the hearing of the Meerut Conspiracy case, the Communists' method of conducting propaganda. A communal disturbance at Trichinopoly results in injuries to a dozen persons. Indian leaders comment on Sir Samuel Hoare's statement in Parliament.

Foreign—Labour members spiritedly criticise the Government's policy in India as outlined in Sir S. Hoare's statement and urge reconciliation with the Indian National Congress. The Secretary of State for India repudiates the charges made in regard to the working of the Ordinances. The statement of the Secretary of State for India on the procedure of Indian constitutional reforms is favourably received by the London Press. The British Cabinet discusses the Hoover proposals for disarmament and attention is drawn to the lead already given by Britain in regard to naval reduction. Progress is reported to have been made in the negotiations between German and French Ministers on the problems of Reparations and War Debts.

JUNE 29, 1932.

Indian—Speaking about the future of Burma, the Raja of Chettinad says that, in the event of separation, Burmans are in honour bound to safeguard Indian interests. The basis of allocation of seats for States in the Federal Legislature is discussed in the Press. A recrudescence of communal rioting is reported from Bombay, the police having had to fire at least three times to disperse combatants in the streets. Rapid progress is reported of the scheme to instal a Wireless Telephone Service between India and

England. Sir Tej Bahadur Sapru and Mr. M. R. Jayakar issue a joint statement on the Secretary of State's announcement.

Foreign—It is forecast in London that the Government's concrete proposals with regard to the prospective constitutional changes in India will be published in the form of a White Paper which will, in effect, be the terms of reference to the Joint Parliamentary Committee.

JUNE 30, 1932.

Indian—A comprehensive Ordinance, to be known as the Special Powers Ordinance, 1932, is promulgated by the Governor-General which includes most of the powers contained in the Emergency Powers, Unlawful Instigation, Unlawful Association and Prevention of Molestation and Boycotting Ordinances. Mr. S. B. Tambe, who acted as Governor of C. P. in 1929, criticises Sir S. Hoare's statement and blames the Conservatives.

Foreign—In the event of the Irish Free State refusing to make land annuities payment, it is stated that a Bill will be brought before Parliament to impose duties on certain imports from the Free State. A Lausanne message states that Germany has accepted the principle of making a final payment in lieu of reparations, but only when normal conditions are restored. It is stated that a world agreement with the purpose of securing a rise in oil prices is the likely result of the International Oil Conference now being held in Paris. A message from the Siamese Foreign Minister to the Consul of Rangoon gives details of the recent rebellion in Siam. Important developments are stated to have taken place at Lausanne on June 29 when after a spirited sitting it was decided to set up a committee of thirteen to draft a plan for the settlement of the Reparations. The Democratic National Convention at Chicago, by a large majority, votes for the repeal of the Prohibition Law.

THE REFORMS ISSUE

CONSULTATIVE COMMITTEE.

IN a communique issued on the 13th January, 1932 the intention of His Majesty's Government was announced that the Consultative Committee should be brought into effective consultation on the recommendations of the Franchise Committee, Federal Finance Committee and Indian States Enquiry Committee appointed by His Majesty's Government for specific constitutional enquiries before the final conclusions on their recommendations were adopted by His Majesty's Government. In the ordinary course the Committees would present their reports to His Majesty's Government. Thereafter, the reports would be made available to the Consultative Committee in order that it might make such suggestions. as it deemed fit.

COMMITTEE POSTPONED TILL MAY 23.

It was originally expected that the Consultative Committee would be in a position to embark upon the consideration of the Reports from May 2, 1932 but on certain grounds the meeting was postponed by three weeks. The circumstances under which the postponement was decided upon were narrated in a Government Communique issued on April 13, which ran as follows:—

The Consultative Committee, at its last session, expressed its desire to sit at its forthcoming session without a break until all the items on the agenda list had been considered. The feasibility of this method depends largely on the time at which the Consultative Committee can embark upon the consideration of the reports of the Committees appointed by His Majesty's Government. It does not appear that it (this method) can be observed if the Committee sits from the 2nd May as originally proposed. Accordingly, His Excellency the Viceroy has decided that the wishes of the delegates and the expedition of the Committee's business will best be secured, if the Committee enters upon its second session on a date somewhat later than that originally proposed. Invitations to the delegates to attend from the 23rd of May are being issued.

AGENDA BEFORE THE COMMITTEE.

The agenda for the said meeting was also officially issued on the same date:—

His Excellency the Viceroy after taking into consideration the suggestions made by the members of the Consultative Committee has, with the approval of the Prime Minister, framed the following agenda list for the next session of that Committee: Items standing over from the first list:—(A) **For Discussion**—(1) Classification of subjects under the following heads—(a) roads, bridges, ferries, etc; (b) Maritime shipping and navigation; (c) lighthouses; (d) Indian Audit Department; (e) Commerce; (f) Trading companies and other associations; (g) Control of arms and ammunition and (h) Railway police.

Note.—Certain other matters affecting the classification of subjects have been postponed pending receipt of the reports of the specific committees;

(2) Railway jurisdiction in States territories;
(3) Centrally administered areas;
(4) Excluded areas;
(5) Form of treaties or conventions with the States on entry into the Federation.

(B) **Postponed at the request of members—**
(1) Distribution of legislative powers between the central and provincial legislature;
(2) Composition and strength of the Federal Legislature;
(3) Details of procedure to be followed by the Legislature when central, as distinct from federal, questions or bills are under consideration.

(4) Defence—(a) Detailed arrangements which might be made for fixing for a standard period the normal defence expenditure; (b) Representation of the Army Department in the legislature;

(5) Financial safeguards;

(6) Central constitutional relations between the executive Government at the centre and in the province.

(7) Provincial constitutions.

(II) **New items**—(1) Future position and functions of the High Commissioners; (2) Readjustment of Provincial boundaries; (3) New provinces.

(III) **Reports of specific committees**—(1) The report of the Federal Finance Committee; (2) The report of the Franchise Committee and (3) The report of the States Enquiry Committee.

N.B.—Subject to the reports being available when the Committee resumes.

Object of Postponement.

The object of the postponement was however considered to be something more than what appeared from the communique. The "Free Press" in a statement said:

"The delay is chiefly ascribed to the Muslims because in response to the telegram sent by Muslim members to Sir Samuel Hoare asking for postponement, as in the absence of a communal award the Muslims cannot participate in the work of the Consultative Committee. At the Lahore Session of the Muslim Conference on March 21st the Muslims passed a resolution granting Government two months' time for reaching a decision on the communal problem. The time would expire on the 21st May. With a few days' grace the Government would fulfil the hopes held out to the Muslims. If the communal award is given by the first week of June, the Muslim Conference is to meet a few days after."

Implications of Postponement.

The adjournment of the meeting of the Consultative Committee till May 23 was likely to delay constitutional advance and was thus a matter of considerable importance in the political circles. Commenting on this subject the correspondent of the "Hindu" was afraid that under the circumstances thus created the Consultative Committee might not be able to finish its work before the first week of July. "The decisions arrived at by the Committee" he added, "will be reviewed by the Cabinet Committee. The latter half of July and August are holiday week in England. Further, the work will be held up till the members return from the holidays and if the third Round Table Conference is to be summoned for ratification of the decision before a bill is drawn up, another two months would have to pass before one could have a definite idea of the future constitution."

COMMITTEE FURTHER POSTPONED.

But the difficulties in the way of holding the meeting on the 23rd May went to operate. Owing to the Prime Minister's illness and the approach of the Lausanne Conference and other emergencies of great importance to Britain and many countries, besides India, it was feared in some quarters that the communal decision might have to be deferred until near the end rather than the middle of June, while the Moslems pressed that the Committee should not meet till His Majesty's Government gave an award on the communal question. They preferred to wait until they could set to their tasks with a confidence which would be lacking until the communal decision was announced, and the following communique was issued on May 15 announcing a "sine die" adjournment of the Consultative Committee:—

"His Excellency the Chairman, after consulting the members, has decided in accordance with their generally expressed desire, to postpone the next sessions of the Consultative Committee until a date to be selected subsequently in further consultation with the members when, it is hoped, to be able to arrange a continuous programme for the disposal of all the items on the agenda-list."

Mr. Ghuznavi on the Postponement.

Mr. A. H. Ghuznavi, M.L.A. and a member of the Consultative Committee welcomed the postponement of the meeting of the Committee. In an interview with the "Associated

Press" he said, "When the re-assembly of the Consulative Committee was postponed from the 2nd to the 23rd May, it was hoped that the next session would sit without a break. It was expected that by the 23rd of May the reports of the various Committees would be available to the members of the Consultive Committee. It was obvious, therefore, that pending the publication of these reports continuous discussion in the Consultative Committee was not possible. In addition to the inevitable suspension of the proceedings of the Consultative Committee in the absence of the reports referred to above, there was another strong reason for my preferring the postponement now, for the absence of a declaration by His Majesty's Government on the communal question would sooner or later have impeded the continuous progress of the Committee's work. The postponement will enable the Muslim members of the Consulative Committee to push forward its work unfettered by any communal consideration."

REFORMED CONSTITUTION BY INSTALMENTS.

During the closing stages of the Round Table Conference there was some discussion behind the scenes regarding the possibility of starting with provincial autonomy, but owing to Hindu opposition the idea was dropped. The general position was as set out in the Premier's speech at the close of the second Round Table Conference on December last and as reaffirmed by the Secretary of State on March 24:—

"You have indicated your desire that no change should be made in the Constitution which is not effected by one all-embracing statute covering the whole field, and His Majesty's Government have no intention of urging responsibility which, for whatever reasons, is considered at the moment premature or ill-advised."

But it was perceived early in April that the policy which officially held the field was that of introduction of provincial autonomy as the first instalment with an assurance embodied in the preamble of the Reforms Act that it was the intention of the Parliament to implement the Federal Constitution with responsibility at the centre at the earliest possible date. It was considered in some quarters both in England and India that the difficulties in the way of introducing a federal constitution in India were serious and that the federal idea was confusing all constitutional questions and merely postponing the real reform.

Dr. Shafaat Ahmed Khan's Letter in the "Times".

Dr. Shafaat Ahmad Khan contributing a letter to the "Times" (London) on May 15 wrote that he and other Muslim delegates agreed with other members of the delegation to the federal principle and central responsibility. He declared that the moderates never denied that the working out of the details of the federal scheme would require several years' effort. He added that the requisite parliamentary legislation should be divided into two parts, part one dealing with central responsibility through the federation to be brought into force, when the details of the scheme will be complete, and part two providing for provincial autonomy which should be brought into operation forthwith.

Sir Tej Bahadur's Reply.

Sir Tej Bahadur Sapru protesting against the statement said that Dr. Safaat Ahmad Khan was wholly wrong in alleging that the moderates never denied that the working out of the details of the federal scheme would require several years. Excepting one gentleman, all moderate members of the Consulative Committee denied this most emphatically, and even that gentleman wanted simultaneous responsibility at the Centre in British India. Continuing he writes, "In my personal discussions with responsible statesmen in England and India, I have always maintained that it is absurd to hold that the working out of the details of the federal scheme will require several years' effort and I have invariably urged that there should be a single bill, dealing with the provinces and the centre and that if to enable administrative and constitutional readjustments to come about there must needs be some distance of time between the functioning of the constitution at the centre and the provinces, it should not exceed a few months." Concluding Sir Tej Bahadur remarked, "Provincial autonomy by itself will never appeal to advanced opinion. It will alienate moderate opinion and complicate the situation far more than is realised. By all means give every reasonable protection to the minorities and the

depressed classes, but do not alienate any more the majority anywhere, for without the co-operation of the latter it will be practically impossible for the administration to be run merely with the support of the minorities or representatives of special interests. The British mind must be disabused of this notion and must face the constitutional issue fairly, squarely and boldly."

Mr. Sastri's Rejoinder.

The Rt. Hon. Mr. V. S. Srinivasa Sastri in a statement issued on May 19 said that the difficulties in shaping the federation had been exaggerated in the interest of reaction. He 'reinforced' Sir Tej Bahadur Sapru's warning that often in politics to delay was to deny and that those who approved of an interval between provincial autonomy and central responsibility on a federal basis played the game of those who did not wish a second step. He further pointed out that excessive eagerness for one step necessarily weakened the cause of the other and instead of proving the British good faith, the hastening of autonomy would engender profound suspicion and stimulate the forces of disorder.

Mr. Kidwai Supports Sir T. B. Sapru.

Supporting Sir Tej Bahadur Mr. Mushir Hussain Kidwai of Gadia, Member of the Council of State, states that unless immediate responsibility is given in the Centre, nobody in India would be satisfied and that unless responsibility is given in the Centre, Provincial Autonomy can only be a farce. He fails to see how Provincial Autonomy alone can help Muslims even from the communalistic point of view, and why a communalistic turn should be given to the matter at all.

Sir Chimanlal Setalwad.

Sir Chimanlal Setalwad thought that mere Provincial Autonomy with a promise or even a declaration in the preamble of an Act for responsibility at the Central and Federation to come later, would not satisfy any political party in the country. He said, "I can say without hesitation that such a course will not satisfy the Liberals and I think they will decline to take any responsibility in working such an attenuated scheme of reform. Mere Provincial Autonomy is not going to rally any moderate opinion and will not end the present trouble."

Sir Tej Bahadur's Letter in the "Spectator."

That any scheme of provincial autonomy which did not at the same time confer responsibility at the centre was unlikely to solve the Indian problem was explained in Sir T. B. Sapru's letter to the "Spectator" in its issue of June 17. He said, "To give India provincial autonomy when Indians are stressing for responsibility at the centre would be to impose a constitution which it does not want. To tell them Federation must wait until autonomous units have been created and have been allowed sufficient time to function and to grow provincial consciousness is to misread the constitutional history of Canada and Australia, neither of which had a central government like ours at the time when the Federations were created there. Even if it is not that it is difficult to see how frequent friction can be avoided between the irresponsible centre and the responsible provincial units if the latter are to be genuinely responsible. Further howevermuch you may trim the Central Government to suit autonomous responsible provinces, in essence the centre must continue to remain irresponsible and friction between the two in actual practice will be inevitable. To provide for the gap of several years or even eighteen months between a change in the provinces and that at the centre is to invite fresh agitation and to create new forces in the provinces which will wreck all chances of the Federation. In any case, India will not settle down to constructive work. Agitation as to that centre will continue unabated. New provincial Governments will start in the midst of opposition and hostility, which may well nigh wreck them. Above all it will not be an agreed constitution but one imported by England, which could be done, if England was so minded, without holding Round Table Conferences and committees. Delay is said to be dangerous and it is therefore urged that provincial autonomy must come in first and as soon as possible, but why should there be any delay, at any rate, a delay of several years or even of eighteen months ?"

The Indian Association.

The Indian Association in a wire to the Secretary of State for India called attention to strong and widespread feeling against establishment of reformed constitution by instalments and entered its emphatic protest against Provincial Autonomy without simultaneous establishment of autonomous Central Government with safeguards. Provincial reform, the message continues, with mere laying down of central system for future date will not allay unrest but is likely to lead to further aggravation.

The long interview which Sir Tej Bahadur Sapru and Mr. J. R. Jayakar had with H. E. the Viceroy on June 17 gave rise to wide speculations in political circles about the procedure of constitutional reforms.

PROCEDURE OF CONSTITUTIONAL REFORMS.

All speculations were however set at rest by the simultaneous announcement of the procedure of constitutional reforms in India by the Viceroy from Simla and the Secretary of State for India in the Commons in London on June 27. It makes provision for a single bill embodying provincial autonomy and federation. Among other things it proposes the abandonment of the Third Session of the Round Table Conference. The full text of the document follows:—

STATEMENT OF THE SECRETARY OF STATE.

Since the policy of His Majesty's Government, as announced to the Round Table Conference, was endorsed by the Parliament, the primary concern of His Majesty's Government has been so to lay their plans as to facilitate its transmission into legislative results with the utmost possible despatch.

The first immediate steps required to supplement the discussions of the Conference were enquiries of the three Committees which have lately returned from India.

The reports of two of these Committees are now in the hands of His Majesty's Government and as they hope shortly to receive that of the third, they are in a position to indicate the methods by which they intend to make further programme.

A Single Bill.

In the first place, His Majesty's Government have definitely decided to endeavour to give effect to their policy by means of a single Bill which will provide alike for autonomous constitutions in the Provinces and for Federation of Provinces and States. They intend that this measure shall contain provisions for enabling Provincial Constitutions to be introduced without necessarily awaiting the completion of all steps required for the actual inauguration of Federation. Since it is an essential feature of His Majesty's Government's policy that Federation which it will be the object of Bill to construct shall be a Federation of All-India, it follows that the units concerned must be prepared actually to federate and that proposals to be laid before the Parliament to this end must be complete in all essentials

In particular, there must be reasonable assurances forthcoming at the time the Bill is introduced that financial and other provisions for the cementing of the structure will enable the Provinces, States, the Federal Government and Parliament alike adequately and harmoniously to fulfil their several functions and that the interest which require to be safeguarded shall be assured of practical and efficient protection. But it is their intention, so far as it lies within their power, to spare no efforts to secure the fulfilment of these conditions and, to this end, they will continue to prosecute their endeavours to find means, as speedily as possible, for surmounting obstacles which a study of concrete details necessarily discloses.

Further Sessions of the R. T. C. & F. S. Committee Not Essential.

His Majesty's Government have carefully considered the procedure by which they can, on the one hand, most expeditiously and efficiently overcome these obstacles and, on the other hand, retain advantage of consultation and co-operation with Indian opinion which the Round Table Conference was designed to secure.

After carefully considering the present position, they are convinced that matters have now reached a stage at which a settlement of the urgent and important questions that still remain to be decided will only be delayed by formal sessions of large bodies such as the Round Table Conference or Committees such as the Federal Structure Committee. They have come to the conclusion that expeditious treatment of outstanding questions will best be secured by the following programme which, though it involves some variation in method, will secure to the full the collaboration which has been the underlying principle of the work accomplished hitherto.

Communal Award in Summer.

In the first place, they will take the next immediate step towards the removal of an obstacle and will announce the decision which they have undertaken to give on these aspects of the communal problem which now retard progress. They are now engaged in a settlement of the actual terms of the decision and unless unforeseen difficulties intervene, they hope they will be able to announce it sometime during the present summer.

Consultative Committee to Reassemble.

Secondly, on the assumption that the communal decision removes obstacles which have been impeding progress, they trust that as soon as their decisions have been announced, the Consultative Committee will reassemble and will proceed continuously with its programme of work, bringing its collective advice to bear on the numerous and

important questions, entrusted to it, many of which were not examined by the Conference or its Committees in London, subject to discussion in the Consulative Committee of matters which affect both British India and Indian States. His Majesty's Government are considering means by which solutions may be facilitated and expedited of those difficulties which confront them in connection with matters affecting States alone. His Majesty's Government greatly hope that such progress may result from the Consultative Committee discussions.

Informal Discussions in London.

There may be found remaining over from its final Session only a few specific problems—for example, financial safeguards of such a nature that they might appropriately be the subject of informal discussions in London with a few individuals whose personal experiences qualify them to speak with authority upon them. If this hope is fulfilled their intention would be, after such informal discussions, to pass straight to Parliamentary stage on the following lines.

Inquiry by Joint Select Committee.

His Majesty's Government consider that the final stage of consultation with Indian opinion can usefully take place only on definite proposals.

They therefore propose to invite both the houses of Parliament to set a joint select Committee to consider their definite proposals for revision of the constitution and to give the Committee powers to confer with the representatives of Indian opinion and it is their intention in the belief that this course will commend itself to Indian opinion to invite Parliament to set up the Joint Select Committee before introduction of a Bill. It has been the intention of successive Governments that a Joint Select Committee of both Houses of Parliament should be called upon at some stage to examine the proposals for constitutional reform. His Majesty's Government hope that, by their present decision to recommend that this important task shall be performed before any Bill is introduced, they facilitate Indian co-operation and ensure its effective influence in what is probably the most important stage in the shaping of Constitutional reforms and at a time before irrevocable decisions have been reached by the Parliament.

The programme I have indicated is based on the hope that enquiry by the Joint Select Committee may follow as the next formal stage after the conclusion of the Consultative Committee's business. But it may be that the course of discussions in the Consultative Committee may prove that matters will not be ripe for formulating definite proposals for the consideration of a Joint Select Committee without further consultation of a more formal character. In that event, at the cost of delaying their programme, His Majesty's Government will make arrangements accordingly, but they would regard it as essential unless the objects they have in view are to be frustrated, that the size and the personnel of the body to be summoned for such further discussions in London should be strictly determined with reference to the number and character of the subjects found to require further discussion.

By a procedure formed on these lines His Majesty's Government hope to ensure both rapid progress towards the objective in view and continuance of co-operation between British and Indian representatives, on the one hand and between the three British parties on the other, upon which so much of success of constitutional changes must inevitably depend.

OPINIONS ON THE ANNOUNCEMENT.

SAPRU-JAYAKAR STATEMENT.

"The statement made by the Secretary of State as to the future procedure of the work which hitherto has been engaging the attention of the Round Table Conference and its ancillary committees of His Majesty's Government is of such far-reaching importance that it seems to us necessary that its full significance and implications should be clearly understood by the public at large." Thus runs the joint statement (issued on June 29) by Sir Tej Bahadur Sapru and Mr. M. R. Jayakar on Sir Samuel Hoare's announcement.

The principal issues involved in the procedure adumbrated by Sir Samuel Hoare have been summed up in the statement which is reproduced below in full:—

The Original Scheme.

The Round Table Conference has met twice in London. Its second session was over on 1st December 1931, but the Conference itself in its collective capacity was simply adjourned, not dissolved. With a view to carrying on the complete work which could

not be completed at its session in London His Majesty's Government decided, with the concurrence of the Conference, to appoint certain committees, namely, the Indian Franchise Committee, the Federal Finance, the Indian States, and the Consultative Committees. The first two Committees have after extensive and exhaustive enquiry, submitted their reports which have been published. The third committee, namely the Indian States Committee has, however, been carrying on its work in England also. Its report yet awaits publication. As regards the Consultative Committee whereof we have been members, it held two sessions at Delhi during the last cold weather under the chairmanship of His Excellency the Viceroy and adjourned to meet again on 23rd May at Simla when it was again considered necessary to adjourn its sitting to a future date. It now appears that His Majesty's Government do not propose to call any further session of the Round Table Conference or convene a meeting of the Federal Structure Committee in London. They have now published their proposals.

Essentials of the Announcement.

The essential features of the new proposals are: (1) There will be a single Bill which will provide alike for autonomous constitutions of provinces and for federation of provinces and States, (2) They will proceed to give sometime this summer decision on those aspects of the communal problem which now retard progress, (3) The Consultative Committee will reassemble and will proceed continuously with its programme of work bringing its collective advice to bear on numerous important questions entrusted to it, many of which were not examined by the Conference or its Committees in London, (4) After the conclusion of the work of the Consultative Committee but before the introduction of the Bill a Joint Select Committee of Parliament will be set up to consider the proposals of the Government and thus the Government proposes to facilitate Indian co-operation and ensure effective influence at the formative state, (5) If the course of discussion in the Consultative Committee proves that the matter will not be ripe for formulating definite proposals for consideration of the Joint Select Committee without further consultation of more formal character, then arrangements will be made for the summoning of a body for further discussion in London, size and personnel of which would be determined with reference to number and character of the subjects requiring further discussion.

Functions of R. T. C. recalled.

This procedure is in our opinion, very widely different from that contemplated by the Round Table Conference on the terms whereon it was called. We will in this connection refer first to the historic announcement of Lord Irwin dated 1st November, 1929, whereby it was decided, with the concurrence of Sir John Simon, the Chairman of the Statutory Commission to convene a Round Table Conference for seeking the greatest possible measure of agreement for final proposals which it would later be the duty of His Majesty's Government to submit to the Parliament. The full scope of this statement was further explained by Lord Irwin in his inaugural address to the Indian legislature on the 9th July, 1930 as follows: "I now," said Lord Irwin, "am able to define its functions (of the Conference) more precisely. After very careful consideration, His Majesty's Government has reached the conclusion that it would not be right to prescribe for the Conference any terms more limited than in my statement of November last and that the Conference should enjoy full freedom. These words connote that the Conference will be free to approach its task greatly assisted indeed but with its liberty unimpaired by the report of the Statutory Commission or by any other documents which will be before it. It is the belief of His Majesty's Government that by way of conference, it would be possible to reach solutions that both countries and all parties and interests in them can honourably accept. And any such agreement at which the Conference will be able to arrive will form the basis of proposals which His Majesty's Government will later submit to Parliament. From such definition of the scope of the Conference it is clear that His Majesty's Government conceive of it not as a mere meeting for discussion and debate but as the joint assembly of representatives of both countries, on whose agreement precise proposals to Parliament may be founded." It will thus be seen that the essence of the method was that the proposals before Parliament would be made by the Government on the basis of the largest measure of agreement that might be reached at the Conference. We feel that the new plan by dispensing with further meeting of the Federal Structure Committee or the Round Table Conference dispenses with and supersedes the deliberate policy of His Majesty's Government referred to above as regards the method of approach to the Indian problem.

Prime Minister on Method of Co-operation and Consultation.

In support of our view we would refer to the speeches of the Prime Minister and Lord Lothian, Under-Secretary of State for India. In his speech at the last sitting of the second session of the Round Table Conference delivered on 1st December 1931, the Prime Minister discussed the question of machinery to be set up for close and intimate consideration of specific problems and in doing so he stated as follows:—(a) I

propose therefore with your consent to nominate in due course a small representative committee, working committee of this Conference, which will remain in being in India with which through the Viceroy we can keep in effective touch. I cannot here now specify precisely how this committee can best be employed. This is a matter which must be carried out and must to some extent depend on the report of the Committees we propose to set up, but in the end we shall have to meet again for a final review of the of the whole scheme. (b) On 2nd December 1931, the Prime Minister moved a resolution before the House of Commons asking for its approval of the Indian policy of His Majesty's Government. In the course of his speech, Major Atlee interjected a question asking whether the Committees to be appointed were going to report back to the Round Table Conference and the Prime Minister, dealing with the question, said, among other things, as follows: "I want to tell the House without any reserve that I am perfectly convinced that the work which has been done could have never been done by any method except the method of co-operation and consultation and I say further that if any Government here will try to change that now it would destroy all chance of continuing in agreement and co-operation with India itself. The method whereby the Round Table Conference has been handled is the only method that will enable India and ourselves to come to an agreement, to work that agreement in harmony, and use that agreement for the benefit of India itself and also the honour and good of the whole community to which we belong." Further, the Prime Minister, in reply to another question by Major Atlee, stated as follows: "Obviously the Round Table Conference will remain and in the end we shall have to meet again for a final review." Thereupon Major Atlee said: "It is satisfactory to note that the method of negotiation through the Round Table Conference is to continue and that this is an interim process during which certain committees are going to report."

Lord Lothian's Assurances.

"In moving the same resolution in the House of Lords, Lord Lothian, the Under-Secretary of State for India said as follows: "At some later date, when all necessary material is ready, the Round Table Conference will reassemble in some form for a final review of the whole scheme and thereafter draft a constitution which will be presented by the Government for the consideration and decision of Parliament."

Work of R. T. C. Remains Unfinished.

It will thus appear that it is clearly the intention of His Majesty's Government to assemble in Conference for a final review of the work of the committees when it would be possible for the representatives of the Indian States, His Majesty's Government and other British Parties to come to certain agreements. We need scarcely point out that safeguards (finance, defence and foreign policy) have not yet been agreed to. Indeed, certain proposals were made by both sides but no agreement has yet been recorded finally.

Drawbacks of the Announced Procedure.

Now we desire to point out that, in our opinion, in the absence of representatives of the British Government and other British parties and the Indian Princes—whose ministers have no authority to bind them—in the Consultative Committee, it is impossible for that Committee to register any agreement with British opinion and such agreements, if aimed at, must stand over until select Indians meet the Joint Parliamentary Committee or until a formal but smaller body than the Round Table Conference is summoned to London in the contingency contemplated by the new announcement. We cannot see why, if Government propose to bring about a discussion between the Joint Select Committee and individuals on definite proposals and why, if they contemplate also the possibility in a certain contingency of something of a formal though small body of representatives, they should not have at once decided to constitute a much formal body which should meet in London to carry on discussions with the Joint Parliamentary Committee and treat it with on terms of equality. Our insistence is not and has not been that a full Round Table Conference should be summoned a third time but we urged and do still urge that a smaller body, the personnel of which may inspire confidence, should meet for a final review of the work of the committees including the Consultative Committee and for treating with the British representatives. We certainly should not be assumed to favour a procedure so far as it contemplates the summoning, after the conclusion of the Consulative Committee of individuals to be selected by the Government. It would have been a different thing if, in the selection of representatives, the Conference itself had any voice. We are aware that it has been suggested in certain quarters that the Conference method has not been successful. Whatever persons not connected with the Conference may say in regard to this matter, the Prime Minister himself observed in his statement before the Conference that these Conferences had not been failures in any sense of the term. We ourselves are respectfully prepared to endorse this view. We were painfully conscious at the last session of the Conference that a certain section of British opinion, which in the altered

state of Parliamentary parties, possessed considerable influence, did not favour the Conference plan and thought that it would lead to no good

But we are also conscious that the mutual exchange of views and the timely intervention of the Prime Minister himself and British statesmen like Lord Reading, Lord Sankey, Mr Wedgwood Benn, Mr Lee-Smith and Mr Pethwick Lawrence enabled the last Conference to get over certain critical situations which seemed to threaten its very existence and to bring to abrupt end the work it had upto that stage been able to accomplish and to destroy the spirit which it had generated.

Limitations to Support of a Single Bill Plan

We are aware that His Majesty's Government have taken an important decision in so far as they indicate their intention to proceed with a single Bill but it is clear from the announcement that they propose to introduce provincial constitutions first, Federation following later

Our support of a single Bill plan should not be in any manner, assumed to carry with it support of all the implications of the passage dealing with it in the official announcement If the hiatus between the provincial constitution and the central constitution is going to be a long one—and we have reason to apprehend this danger—then we cannot clearly support such a proposal Again when it is said that before All-India Federation materialises the units concerned must be prepared actually to federate we must strongly dissent from this proposal if it means that it will be left to the provinces to decide whether they will or will not join the Federation For it is clear that one single province may by adopting a perverse and obstinate attitude, hold up Federation indefinitely and thus make the provision of the Bill absolutely nugatory Of course we recognise that so far as the association of Indian States is concerned Parliament can only provide for their entry on a voluntary basis, but to extend this principle of voluntary basis to the provinces is in our opinion to endanger the whole scheme of Federation In our discussions in England with British statesmen we repeatedly pressed this point of view and we continue to be of the same opinion

Question of Delay

Coming to the question of delay none is more anxious than ourselves for the establishment of the new constitution but we cannot see how the summoning of fourteen or fifteen members of the Federal Structure Committee and nine members of the Indian States the rest being in England, would have caused any material delay In any case it seems clear from the announcement itself that the drafting experts have not been sitting idle, for if definite proposals are to be the basis of the future discussion they can be put forward either as clauses of the Bill or as propositions which may ultimately be shaped into clauses and thus it seems to us there cannot be much room for apprehending delay by sticking to the old basis

No Final Judgment Yet

It is not difficult to read in the new announcement a considerable measure of pressure exercised upon the Government by an overwhelming majority of the Conservatives in Parliament and our experience of last year justifies us in viewing the new proposal of Government critically We have approached these proposals with every desire to understand them and to promote the work that lies ahead but the announcement as it has appeared, is not sufficient in our opinion to enable us to form the final judgment We shall await reports of Parliamentary debates which may possibly make the position more clear We shall also wait for further developments and then issue a further statement defining our attitude

OTHER OPINIONS.

The Rt Hon'ble V. S. Srinivasa Sastri interviewed regarding Sir Samuel Hoare's statement said that the change of procedure goes to the root of the matter If experts and people with specialised experience are only to give evidence before the Joint Parliamentary Committee dominated as it must be by Conservatives, a new constitution will be imposed, a constitution not one to which the progressive parties in India have previously agreed and which they may naturally be expected to accept

Mr Sastri added "No more striking demonstrations could be given to India of her helplessness than the way she is now being made the sport of party vicissitudes in another country We should never feel safe again unless the Constitution is placed once for all beyond the hazards of English politics"

Concluding Mr Sastri asked "With the Congress put out of action in the constitutional field, have the remaining Nationalist elements like the Liberals and advanced Mahomedan group any chance of obtaining from the Joint Parliamentary Committee a constitution conformable to their expectations? The present decision of His Majesty's Government humiliates them in the extreme They must now consider seriously what their future attitude should be The position at the moment is so exasperating that no wise decision can be taken until more information has come and things have become clearer"

Giving his views on the statement issued by Messrs. Sapru and Jayakar, the Rt. Hon'ble Sastri said on June 30: "By pleading for the restoration of normal administration and for superseding the Ordinance regime as well as by a gallant stand for the policy of Lord Irwin and the late Labour Government they have placed themselves on unassailable ground. The country will support them in the two demands, first, that the provinces after they become autonomous must not be allowed to canvass once again the wisdom or unwisdom of the federation policy and that there should be no long interval between provincial autonomy and central responsibility. They throw out one positive suggestion, namely, that there should be a Round Table Conference on a smaller scale than before, seeing that Government themselves contemplate such step, in case the Consultative Committee proves inefficient. One may hope that they will be persuaded to take the step unconditionally. The plan has great merit of placing Indian delegates on same footing as their British colleagues and revives in part, the original principle of the Round Table Conference."

Mr. C. Y. Chintamani, President, National Liberal Federation, criticised the unspecified interval in between the introduction of Provincial Autonomy and Central responsibility. He feared that while theoretical satisfaction would be given to Indians by statutory provision for federal government, in actual fact, the so-called autonomous governments would be functioning in the provinces for a long while—the Central Government remaining what it was, the excuse or reason being delay on the part of the Princes in agreeing to terms acceptable to British India.

He added that that could not be contemplated with equanimity by Indian nationalists. He affirmed that there should be no delay in its introduction and alternatively suggested the adoption of Sir P. S. Sivaswami Iyer's plan for British India to have Central responsibility first and the States to come in as and when they are ready singly or collectively. He also expressed dissatisfaction with the new procedure and protested against the unceremonious burial of Conference notwithstanding the great things said of it by the then Viceroy and the assurances given by the Premier last December. He also added that the proposed Joint Select Committee of Parliament before the introduction of the Bill was but a revival of the offer made at the time of the Simon Commission. That did not succeed then in persuading the Nationalists to abandon boycott of the Commission and nothing had happened since that it could be viewed differently. The reason was that Indians who were invited to confer with the Committee, would not and could not take part in the deliberations and its report to Parliament.

Sir Phiroze Sethna, former President of the National Liberal Federation, in course of a statement said, "If the Indian people are losing faith in British Government, action such as Sir S. Hoare's must tend to accentuate such distrust. Sir S. Hoare's pronouncement antagonises all sections of the politically minded Indians and instead of improving the situation definitely worsens it. It looks as if there is not going to be peace in the country and the new constitution instead of helping may aggravate matters"

Sir P. S. Sivaswami Aiyar stated: "While a federation of All-India is desirable and necessary, the introduction of central responsibility so far as British India is concerned cannot be indefinitely postponed or made to hang upon the realisation of the federal idea. The announcement would have given satisfaction, if there had been any indication that in the event of the federal scheme not materialising, or in the event of its involving considerable delay, the central responsibility would be nevertheless introduced in British India, but this apparently is not intended or desired by the present Parliament or Government. The federation of Indian States is mainly desired by the Conservative politicians of England as a powerful brake upon possibly liberal or democratic tendencies of a legislature composed of British Indian politicians"

Mr. N. C. Kelkar thought that the proposed procedure, without materially shortening the time for actual introduction of reforms, would only cause an all-round dissatisfaction by an absolute retention of initiative in their hands by the Government and nullifying the effect of co-operative consultation. "The only relieving feature," he added, "seems to be the opportunity for the expression of Indian public opinion before the Joint Parliamentary Committee, which would be sitting before the actual framing or rather introduction of the Bill in the Parliament. But it is obvious that the Joint Parliamentary Committee would naturally feel bound to limit discussion on the contents of the embryonic bill to decisions at which the Government may have arrived already. There is not much hope that the reforms are actually going beyond the scope of the Simon Commission Report, though there may be some vague reference in the Bill to a possible future federation."

Mr. J. N. Basu in a statement said: "The procedure laid down by Sir Samuel Hoare rules out the Conference method and leaves the ultimate shaping entirely in the hands of the British Government without reference to the agreement or otherwise with responsible Indian opinion regarding the decision as to the form of the constitution. It was pointed out at the Round Table that India refused to be ruled by an

administrative agency which was responsible not to the people of this country but was said to be responsible to the British Parliament. It was demonstrated that in practice the responsibility of the British Parliament was, in fact, no responsibility, inasmuch as the British Government and the British Parliament accepted the views and the version of the officers in this country irrespective of actual happenings and of what the people of this country thought about those happenings. The Round Table was summoned to put an end to a state of things which had not the essentials of permanence not being based on the willing acceptance of the people. The method now put forward by the British Government is going back upon what had been solemnly declared as the policy of the British Government and the British Parliament. The method may be sought to be worked but the working of it would be without the willing co-operation of the people of this country. It is a matter of deep regret that political experience and political foresight have been ignored, as also the present situation, commercial, political and otherwise, which has been brought about by persistence in the policy of which Sir Samuel Hoare's declaration is an indication."

Mr. M. C. Chagla felt that at the Round Table Conference Indian representatives enjoyed equal status and played an important role in the task of drafting a constitution but before the Joint Parliamentary Committee they will have to appear as advisers and witnesses having no say in the task of constitution-making.

Mr. S. B. Tambe, formerly acting Governor of the Central Provinces and member of the Round Table Conference says: "The statement of Sir Samuel Hoare ought not to have surprised or disappointed any member of the Round Table Conference who was in England in November-December 1931. It was common belief that Conservatives were anxious to kill then the Conference but failed in the attempt. It has now been broken. The present Government does not wish to recognise the right of self-determination of Indians implied and acknowledged by the Labour Government. The statement of the Secretary of State does not merely indicate a departure in procedure, but it is a denial or suppression of rights, natural or acknowledged. Sir Samuel Hoare stated in the course of the debate that the methods proposed were particularly desired by the Princes themselves. What does that signify ? The statement leaves an impression that the Princes are being isolated from British Indian representatives. Perhaps the advice of Mr. Winston Churchill against a policy of "combine and abdicate" was anticipated."

Sir Abdur Rahim, leader of the Independent Party in the Assembly, says that the method of Conference has been definitely abandoned in favour of consultation. He suggests that even now the method of asking legislatures in India to co-operate more directly and closely could be tried. He adds that the removal of the question of financial safeguards from the cognizance of the Consultative Committee is bound to cause widespread uneasiness in the public mind.

Dr. Shafaat Ahmad Khan issued the following statement: "Sir Samuel Hoare's statement on the future procedure of the work of the Round Table Conference is on the whole satisfactory and Indian opinion will heartily support the plea for expeditious disposal of the points on which it has not yet been possible to arrive at an agreement. Every one will endorse Sir Samuel Hoare's plea for a single Bill and everyone will be pleased to hear that His Majesty's Government has decided to go ahead with provincial autonomy. Had it been possible to introduce responsibility in the provinces and the federal centre simultaneously without delay the Government, no less than influential and responsible parties in India, would have been delighted, but at the present time even the warmest supporters of the federation scheme have not denied that an interval must elapse between the introduction of responsibility in the provinces and in the federal centre. The statement of the Secretary of State makes it perfectly clear that provinces of British India will not have to wait long and will be conferred virtual autonomy immediately after the Bill is passed into law. I would like to emphasise the point that it is essential that there should be no undue delay in the inauguration of responsibility in the federal government."

Maulana Shafi Daudi made the following statement: "India is now impatient to have a new system of Government. The system must come into being without the least delay. The sooner it comes the better for all concerned. This is my reason why I like the time table as enunciated by the Secretary of State in Commons.

"The third R. T. C. is not a necessity. The situation urges prompt decision and 'bona fide' action. The whole thing, of course, must be based on the conclusions arrived at by the Committees. At every stage in the future Indians of all schools of thought truly representing the several interests in the country must be taken into confidence. Sir Samuel Hoare has once more stressed that there could be no central responsibility or provincial autonomy unless the communal question was decided. He has repeated the pledge that the Government would be prepared to make a decision and said that they intended to do so during the summer, which I understand is the end of July. We have again to wait and see whether this pledge is honoured and how far the demands of the

Muslims, the fairness and justice of which has so often been obvious, are accepted and Muslim interests safeguarded in the future constitution of India."

Mr. C. F. Andrews made the following statement: "I am profoundly disappointed at Sir Samuel Hoare's statement, seeing that there is nothing whatever in it of a conciliatory character. His review of the Indian situation is nothing less than an insult to the Indian intelligence. He does not refer to any move on the part of the Government of India to initiate negotiations with the Congress. As for future procedure in regard to the Reforms Bill the fact that Mr. Churchill strongly commended Sir Samuel Hoare's speech almost entirely reveals the length of the reaction to which the present Government has gone in refusing conciliatory measures."

Mr. Winston Churchill in an article in the "Daily Mail" compliments Sir Samuel Hoare for exercising over the Indian affairs an amount of control which has not been exercised since the administration of Lord Birkenhead or Lord Morley. Continuing he says that the Government has returned to the proper orthodox parliamentary procedure prescribed by the Government of India Act of 1919 upon which Lord Birkenhead resolutely and faithfully embarked and from which I have always said we ought never to have strayed. Parliament's control over the future development of India has now been effectively restored. He is glad that there is to be no recrudescence of the Round Table Conference and that the Federal Structure Committee is to come to an end. He adds, "There are to be no more committees of minor or budding politicians peregrinating round India. The Government is to make its own proposals which are to be submitted to the Joint Committee of both Houses. For the first time in recent years the House of Lords will be able to bring its immense expert authority on Indian questions to bear upon the problem. The members from the House of Commons, unless gross abuse and fraud is perpetrated, must fairly represent both sides of the question. The Government is breaking away from the detestable pretence of making a treaty with an abstraction called "India"—a political India which means little more than a handful of disloyal politicians. The broad issue which Parliament will have to deal now is "Ought we to give a democratic constitution to India at the present and endow persons chosen by the Indian electors with responsibility for Central Government of that vast Empire ?"

Mr. Fenner Brockway, leader of the British Independent Labour Party declared: "The decision of the Government to introduce a Bill ends Indian co-operation in a farce. I have never believed this. The Government's invitations for Indian co-operation has been sincere, and the Bill which is now likely to be introduced will be of a character that no self-respecting Indian can accept. The whole thing is about ten years out of date. India will only accept full responsible Government at the centre. Day by day I am getting increasingly convinced in my view that India must work out her own constitution through some kind of 'National constituent assembly.' So far as the Independent Labour Party is concerned, it will continue to insist on India's right to independence and extend its fullest support to the Indian national demand."

The "Times" says:—The Government's declaration of policy regarding India is a courageous and frank attempt to accelerate the procedure, at the same time maintaining the closest co-operation with constructive Indian opinion to the very end. In connection with the Joint Select Committee's consultation with a representative body of Indians, the paper observes that it would surely be inexpedient to convoke a body, identical in numbers and personnel with the Round Table Conference or larger than the situation and subjects for discussion demanded. The paper hopes that the Indian delegates will be as representative as possible and that also no personal consideration will tempt any Indian political leader to prefer slower motions of the Round Table Conference to the practical and expeditious programme now proposed. The delays for which neither the British Government nor the Government of India was responsible had previously aroused suspicion and disappointment, which, however, unreasonable, might come to a dangerous head, if months elapsed, without some concrete constitutional advance.

The "Manchester Guardian" writes:—"Compromise in one form or another is the only policy that is immediately practical. We can neither govern nor get out and so it is necessary to devise a constitution that seems to India like self-Government and at Westminster like "British Raj". The sooner it is done the better. No more gestures, oratory and picturesque assemblies; an India Bill with Provincial Autonomy and an All-India Federation, that is what the situation demands."

THE OTTAWA CONFERENCE

THE INDIAN DELEGATION.

AN announcement was made on April 4, 1932 in the Legislative Assembly relating to India's participation in the Imperial Economic Conference to be held at Ottawa next July. It was stated that the Government of India accepted the invitation extended to them to take part in the discussion at Ottawa of the question whether, having regard to the new tariff policy of His Majesty's Government in the United Kingdom, Great Britain and India should enter into a tariff agreement embodying a reciprocal preferential regime so designed as to benefit the trade of both countries. It was further announced that the Viceroy with the approval of the Secretary of State for India had appointed the following gentlemen to represent India at the Conference: Leader, Sir Atul Chatterjee; Members: Mr. R. K. Shanmukhan Chetty, Sir Pestonji Ginwala, Seth Haji Abdullah Haroon, M.L.A., Sahibzada Abdul Samad Khan and Sir George Rainy.

WHY GOVERNMENT DECIDED TO TAKE PART

The circumstances in which the Government of India decided to take part in the negotiations are stated in a letter dated April 6 of the Department of Commerce, Government of India.

The Government of India's policy has hitherto been based on a single-decker tariff consisting mainly of purely revenue duties but containing certain duties imposed in pursuance of the policy of discriminating protection for Indian industries. In the case of two classes of imports, namely, articles manufactured from steel and cotton piece-goods, differential rates of duty are at present in force upon goods of British and those not of British manufacture. These differential rates of duty were, as was explained when the relevant legislation was under consideration, incorporated in the tariff in the interests of the consumer in India. All commercial treaties and trade agreements into which India has entered with foreign countries are, in the matter of tariffs, confined to the reciprocal grant of the most-favoured-nation treatment, that is to say, India undertakes in them to grant to the other party treatment in respect of imports and exports not less favourable than that given to any other foreign country. No treaty or trade agreement has hitherto been entered into on a bargaining basis, by which is meant the grant of a preferential rate of import duty in India in return for the grant of reciprocal benefits by the other party to the agreement. Now the Import Duties Act, 1932, recently passed by the British Parliament, has imposed with effect from the 1st March, 1932, a general duty of 10 per cent. ad valorem on all goods imported into the United Kingdom with certain exceptions and has empowered the Government to impose additional duties on the recommendation of an Advisory Committee. Under the provisions of the Act goods produced or manufactured in the Dominions and India will until the 15th November, 1932, be free of the general duty of 10 per cent. and also of any additional duty which may be imposed Dominion and Indian products have thus been given free entry into the United Kingdom for a period of eight and a half months and the object of this provision is to give an opportunity to each country in the Empire, if it so wishes, to enter into a trade agreement with the United Kingdom. If no such agreement is made with India, His Majesty's Government in the United Kingdom will be free after the date mentioned above to impose on all imports from India any duty authorised by the Act.

In the circumstances, the Government of India considered that it was clearly in the interests of the country that the offer made by His Majesty's Government in the United Kingdom should be accepted in order that the possibilities of a special trade agreement might be discussed by representatives of the two Governments in connection with the forthcoming Imperial Economic Conference at Ottawa. At the same time, they have made it clear that if the conclusion of a trade agreement between Great Britain and India is recommended involving tariff, any such changes proposed will be placed before the Indian Legislature for its approval, and that the Government of India have no wish to put any such changes into effect unless the Legislature is satisfied that they are in the interests of India.

The Government of India in the Commerce Department invited the various commercial bodies in India to make proposals or suggestions which they might wish to make regarding the matters which, in their opinion, needed specially to be brought to the attention of the Indian Delegation.

INDIAN MERCHANTS' CHAMBER ON THE DELEGATION.

In a communication addressed to the Department of Commerce the Indian Merchants' Chamber expressed its views on the Delegation.

The Committee of the Indian Merchants Chamber of Commerce, Bombay deplored that the personnel in the case of India would be materially different from that of every Dominion represented at the Conference. Government had the opportunity of consulting the Legislature and also of inviting the views of central commercial associations like this Chamber on the personnel and it was regretted that this was not done. A delegation, which thus consisted merely of nominees of the Indian Government, that had been in the past described as a subordinate branch of His Majesty's Government, might be useful in the collection and dissemination of relevant information, but must, necessarily, lack the authority to bind this country even for the immediate future. Nor could it claim to speak in the name of India, or to have Indian public opinion definitely behind it. They regretted that the Government of India had not made an attempt to make India's participation real in the Conference by associating with the delegation representative Indians, whose experience and advice would be at the disposal of the delegates. The Committee do not know whether Government consider it too late to remedy this omission.

Grounds of Opposition to Imperial Preference.

With regard to the main issue, viz., "a policy of trade agreements between different countries of the Empire," the Committee expressed clearly that they were always opposed to the policy on the ground that India was not an equal member of the Empire on a par with the Dominions.

The Committee suggested that India's acceptance of a general policy of Imperial Preference or of any broad principle envisaging trade agreements between the various part of the Empire should be deferred till after India has, in the matter of its constitution, attained the status of a Full Dominion.

The Committee further felt that nothing should be done, which would preclude the freedom of India either in the near future, or thereafter, to undertake negotiations and to effect advantageous trade agreements with important customers and important buyers of India's produce and products, who might not be members of the Empire. In other words, they were emphatic that political considerations should be altogether eschewed from the deliberations at Ottawa.

Existing trade, which is the outcome of many years' arrangements without the sort of preference which may now be proposed, would take considerable time to readjust to the conditions, and it is not feasible to calculate in advance the full effects and to forecast the full mutual benefits, which may arise.

By elimination, the scope for any really useful and mutually satisfactory arrangement is limited to concrete propositions with regard to certain items of India's exports to U. K. and certain items of India's imports from the U. K. In the absence of all detailed information and of the expression of any definite proposals from the Government of the United Kingdom, the Committee would advise the delegates to only listen to the discussions.

The Committee think that considerations of revenue arising out of existing tariffs and affecting Government finance would also find a place in the examination of whatever proposals emanate. Nor can any representative Indian omit for one moment the reaction on India's important customers outside the Empire and the possibility of retaliation from that quarter.

The Committee urge on the members of the Delegation the use for extreme caution and above all for not committing either the Government of India, whom they represent, or the Government of India responsible to the people, which may come to be established hereafter, to any principle or policy, however general it may be, until such principle or policy has received attention and examination in this country.

In concluding the Committee trust that in ascertaining the views of the Legislature on this question Government will direct the official block and their nominees not to vote.

MILLOWNERS' ASSOCIATION OF BOMBAY

The Millowners' Association of Bombay, which was invited to make suggestions for consideration by the Indian Delegation in a letter to the Government of India, stated:

"The question is one on which it is difficult for any public body to express a definite opinion at this stage. Even if the matter is to be looked at from the strict business

point of view and the political consideration inherent in a discussion of the problem, are to be brushed aside, no definite conclusions can be reached until the whole field of the commercial and industrial relations of the two countries is covered by a detailed investigation.

"India cannot be expected to pronounce its opinion either on the principle of Imperial Preference or its application to the existing circumstances until reliable data are available, which would clearly establish the advantages to be gained by India by reciprocal trading agreements between the two countries. Such an investigation is only possible at the Conference which has been convened and until its conclusions are known, judgment has perforce to be reserved.

"The Association are of the opinion that no action should be taken on any of the recommendations of the Ottawa Conference without a reference to the Legislature and that the commercial and industrial interests of this country should be given a full opportunity to express their opinion before the Legislature is called upon to deal with such recommendations."

FEDERATION OF INDIAN CHAMBERS OF COMMERCE.

The Federation of Indian Chambers of Commerce and Industry, Bombay, in a representation to the Government of India commented on the unrepresentative character of the delegation and pointed out that in the absence of any definite information as to the attitude of the Government of India at the said Conference beyond a mere statement in the Assembly, the Committee of the Federation had no idea about the implication of the various proposals before the Conference relating to Imperial Preference and Reciprocity. The Committee also sounded a note of warning against committal to any policy and emphasised that the Ottawa decisions could not be binding on India.

MAHARASHTRA CHAMBER OF COMMERCE, BOMBAY

The Committee of the Maharashtra Chamber of Commerce was afraid that it might be possible to arrive at some arrangements adversely affecting India requiring no changes in tariffs and consequently involving no reference to and approval of the Legislature of the country. The Committee was doubtful if India was likely to be benefitted by it in the present stage of its economic development and wished that a Conference like this had not come about on the eve of the momentous changes now in the making.

BURMA CHAMBER OF COMMERCE

The Burma Chamber of Commerce in a communication dated April 22, gave its fullest support to the proposal that such a tariff agreement should be concluded and was of opinion that the agreement would be definitely to the benefit of both countries. So far as it concerned Burma, which was dependent on her exports of agricultural products and raw materials for her prosperity, the Chamber was strongly of opinion that it would be a great advantage to her trade with the United Kingdom if a reciprocal agreement was arrived at, under which her products would receive the benefit of a preferential tariff in the United Kingdom.

It was understood that the views of the Chamber were asked for on the basis of Burma still being a part of India, but in the event of separation of Burma from India, a separate agreement, differing possibly in details, would have to be negotiated between Burma and the United Kingdom.

INDIAN CHAMBER OF COMMERCE (Calcutta)

Commenting on India's participation in the Ottawa Conference, Indian Chamber of Commerce assert that after a due consideration of all relevant facts they see no justification at present for India entering into any tariff agreement with Great Britain. The Committee feel that India has not much benefit to derive, as a study of the statistics of foreign trade of India indicated that the importance of the United Kingdom in the supply of manufactured commodities was declining in favour of Japan, U. S. A., etc., while the large bulk of the commodities exported to the United Kingdom came under the heading of raw material and foodstuffs. That India does not enjoy unfettered control over her fiscal policy is made a further ground of objection.

OFFICIAL ADVISERS TO THE DELEGATION

A communique dated June 14 announced that Mr. H. A. F. Lindsay (Indian Trade Commissioner, London), Sir Samuel Smyth (Adviser for Burma) and Mr. B. C. Burt (Agricultural Expert, Imperial Council of Agricultural Research) had been appointed official advisers to the Indian Delegation.

ORISSA BOUNDARY COMMITTEE

RECOMMENDATIONS OF THE COMMITTEE.

IN view of a strong desire amongst the Oriyas for the amalgamation of the Oriya-speaking tracts a Committee was appointed on 18th September, 1931 'to examine and report on the financial and other consequences of setting up a separate administration for Orissa, and to make recommendations regarding the boundaries in the event of separation.' The Committee was presided over by Sir S. P. O'Donnell with the Hon'ble Mr. H. M. Mehta and Mr. T. R. Phookun, M.L.A., as members. The Raja of Parlakimedi, Mr. Sachchidananda Sinha and Rao Bahadur C. V. S. Narasimha Raju were co-opted as members, and shared in the proceedings but took no part in drafting and signing the report.

The first meeting of the Committee was called at Patna on November 7, 1931, when the procedure to be followed in the course of the enquiry was discussed. The Committee reassembled at Jamshedpur on November 23 and subsequently visited Chaibassa, Sambalpur, Raipur, Midnapur, Gopalpur, Waltair, Cocanada and Cuttack by January 14, 1932 and examined in all 410 witnesses. The report which is a unanimous document was signed on April 19, 1932 and issued on May 25, 1932.

Considerations Made in Framing the Report.

In framing their proposals, the Committee have taken into account language, race, attitude of the people, geographical position, economic interest and administrative convenience, and have attached primary importance to the wishes of the inhabitants. The views of the people on either side of the boundary were not ignored, in order to ensure the greatest measure of agreement between the area losing and the area gaining territory.

In framing the estimates of revenue for the new Province, the Committee have assumed that the sources of revenue will be those at present allocated to the Provinces.

Similarly, in the estimates of expenditure, they have adhered closely to the existing standards both of salary and administration, at the same time assuming that suitable economical arrangements would be adopted.

FINDINGS OF THE REPORT.

According to the report a Province of Orissa can be created with an area of approximately 33,000 square miles and a population of about 8,277,000 persons. It will include Orissa Division, Angul-Khariar Zamindari of Raipur District and the greater part of Ganjam district and of Vizagapatam Agency tracts.

As regards long term prisoners, training of constables, etc., it will rely on institutions maintained by Bihar, to the cost of which it will make a contribution.

The Committee have based their calculations on laws and orders now in force, and have left it to the new Government and its legislature if any alterations were required.

As regards the Services, the present rates of pay will continue to be paid. It will be necessary in case of All-India Services to borrow officers from other provinces. There will be inconveniences of language in this course, but there could be no other alternative. In other respects, the new province will not be faced with any special administrative difficulties.

The new Province will not have a High Court or a University.

Assets and Debts

With regard to interest and reduction of debts, the Committee have taken the same view as the Sind Financial Enquiry Committee, namely, that the only equitable distribution both of assets and debts is for Orissa to take over all assets situated in the new province and for Bihar and Madras to take over all these situated in Bihar and Madras, each party taking with its assets the liabilities attached to them.

The basic revenues of the new province are calculated at Rs 136.58 lakhs, and the basic expenditure, including the debt charges, at Rs. 152.50 lakhs. To the latter figure, must be added the cost of separation amounting to Rs. 18.23 lakhs, bringing the deficit in the first year of separation to Rs. 34.15 lakhs, and allowing for the normal expansion of expenditure in the last year. The total deficit in the first year will amount to

Rs. 35.21 lakhs, the Committee however anticipate that the revenue will increase as the trade depression passes away, and prices to some extent recover. On the other hand, expenditure will also rise gradually, raising the deficit to Rs. 40.93 lakhs in the fifteenth year. They hold that neither initial nor subsequent deficits can be met to any appreciable extent by the imposition of any new taxes such as a succession duty which is at present within the competence of a province to impose. There are no data on which to estimate precisely the yield of such taxes, but there can be no reasonable doubt that it would go very little way to reducing the adverse balance. Deficits can thus be met only by allocation of new sources of revenue or by subvention from the Central Government or by the combination of both methods.

Position of Bihar and Madras after Separation.

After separation, the Committee opine, Bihar will have an area of just under 70,000 square miles and a population of nearly 33 millions. and Madras will lose a population of 2¾ millions and an area of about 18,000 square miles. There will be no reductions in Secretariats and other overhead staffs and very small reductions in certain services will not affect their self-contained character. A portion of Ganjam left out can easily be absorbed by Vizagapatam district. There will be slight difference in the proportion of Muslim and Hindu population owing to alterations in the boundary, but that will be very slight in case of Madras and this change in case of Bihar will doubtless necessitate a larger proportion of seats on its legislature.

The New Province Exempt from Communalism

Finally the Committee hope that Orissa should be almost entirely exempt from communal troubles from which other provinces have suffered. The number of Muhammadans is very small; the Telugu minority is not large, nor are its relations with Oriyas ever likely to be so embittered as those between Hindus and Muhammadans have sometimes been.

The Committee in concluding the Report are of the opinion that the creation of a province of Orissa will undoubtedly stimulate the demand for a revision of provincial boundaries on linguistic and racial lines; it will encourage the Telegus to press their demand for an Andhra province, and may revive or create similar demands on behalf of other communities linked by ties of race and language. It is not for us to say whether such claims can or should be conceded. But the encouragement which they will receive, is probably the most important consequence that the formation of the new province will entail.

EXAMINATION OF UTKAL UNION'S CLAIMS

In making the recommendations the Committee paid due attention to the memoranda submitted by the Utkal Union Committee and various local associations. It was claimed therein that a separate province of Orissa should include the following areas:—

(1) The Orissa division, (2) Angul, (3) The sub-divisions of Contai and Jhargram and the thanas of Kharagpur, Narayangarh, Danton, Mohanpur and Keshiari of the Sadr sub-division of the district of Midnapore in Bengal. (4) The thanas of Similiapal, Raipur and Khatra of the district of Bankura in Bengal. (5) The district of Singhbhum. (5) The thanas of Barabhum, Manbazar and Chandil of Manbhum district. (7) The district of Ranchi. (8) The Zamindaries of Khariar, Phuljhar and Bindra Nawagarh in Mahasamand Tehsil of Raipur district. (9) The Zamindaries of Chandrapur—Padampur and Malkhurda and a group of nine villages called the "Jogni" villages in the Bilaspur district. (10) The district of Ganjam (including the Agency tracts) except the taluk of Chicacole and its sub-taluk of Narsanpeta. (11) Vizagapatam Agency excluding Gudem Taluk. It is also suggested, though no actual claim is made, that the whole of Chota Nagpur should be included.

The Report contains the result of investigations regarding the inclusion of each of these areas in future Orissa. The reports on the most important areas follow:—

Oriya Claim for Midnapore Fails

The area claimed by the Oriyas comprises the thanas of Kharagpur, Narayangarh, Danton, Mohanpur and Keshiari of the Sadr sub-division and the sub-division of Contai and Jhargram, that is, about half the district. And the Oriya witnesses without exception made it clear that they were definitely opposed to the transfer of any smaller area, such as the thanas adjoining Orissa. It is not difficult to understand their attitude on this point. A district is not merely an administrative unit. In all old established districts the outlying tracts are linked with the administrative centres by business or other ties whose

disruption is naturally resented by those concerned, and particularly the professional classes. For this reason proposals to abolish districts or even tahsils are always strongly opposed by the local population. Moreover, whilst the inclusion of half Midnapore would add very substantially to the area and population of the new province, the inclusion of a few thanas would bring little or no advantage.

However this may be, it is certain that an overwhelming majority of the people are against the transfer of all or any of the areas claimed by the Oriyas. On this point the evidence recorded by us leaves no room for doubt. The opposition is not confined to the Bengalis. It was admitted by the Oriya witnesses that the Oriyas were divided on this question, and it is fairly clear that the younger men at any rate desire that Midnapore should remain in Bengal. To some extent, no doubt, this attitude is due to the propaganda carried on by the provincial Congress. The transfer to Orissa of nearly 1½ million Hindus would reduce appreciably the existing Hindu majority in this part of Bengal and is, naturally, therefore, unwelcome to Hindu politicians. But this is not the only influence that has been at work. For various reasons Orissa during the last century has made less progress than Bengal; in literature, science and politics the Bengali has outdistanced the Oriya; and in Midnapore at any rate the prestige of Bengal is higher than that of Orissa. The older men of Oriya origin are still attached by ties of sentiment to Orissa. The younger men either wish to be regarded as Bengalis or at any rate prefer that their political future should be bound up with that of Bengal.

The Oriya claim thus fails on all counts. By the test of race (as we have defined it) they are in a minority in all areas and except in a few thanas a minority of less than 30 per cent. By the test of language they are still more heavily outnumbered except perhaps in the Mohanpur thana where, however, the utmost that can be claimed is that the majority of the people speak a language which can be regarded as Oriya or Bengali. And in all areas there is an overwhelming majority opposed to the transfer to Orissa of any part of the district.

Singhbhum Excluded from the new Province

The Singhbhum district consists of three distinct parts—(1) The Kolhan; (2) Porahat; and (3) Dhalbhum.

As regards the attitude of the people, the evidence, as in the case of Midnapore, leaves no room for doubt. The Hos who in the Sadr sub-division greatly outnumber the rest of the population are to a man opposed to the Oriya claim. This has been clearly proved not only by the evidence of their leading Mankis, and of Mr. Ward, the present, and Mr. Scot and Mr. Dain, former Deputy Commissioners, of the district, but by the demonstrations which we witnessed at Chaibassa. The road to Chaibassa for many miles was lined with thousands of Hos, who had assembled to protest against the inclusion of the Kolhan in an Orissa province. The hostility of the Hos was admitted by the Oriya witnesses, but was attributed to Bengali propaganda. Doubtless there has been propaganda—not all on one side—but there is no sufficient reason for regarding it as the sole or the main cause of the attitude of the Hos. The Hos are closely connected by ties of race and language with the other primitive tribes, the Mundas, Oraons, Santals and Bhumij, who inhabit the Chota Nagpur plateau. In the days before the advent of the British they successfully defended themselvs against all intruders by force of arms. But they cannot compete with the subtler minds of the Aryan races who have slowly penetrated the Chota Nagpur country, and for that reason, as already mentioned, the administration has been directed towards protecting them from the worst effects of exploitation by the outsiders whom they designate Dikkus. It may well be that they instinctively feel that their powers of resistance will be weakened, and that their interests will suffer, if they are detached from their kinsmen in the north of the plateau.

Opinion amongst the other tribes, Santal, Oraons and Bhuiyas was not so clearly defined, but in so far as it exists, it is not favourable to the Oriya claim. The Hindustani and Bengali population are as hostile as the Hos; so, too, is the Raja of Dhalbhum. The inclusion of Singhbhum in a separate province of Orissa finds, in short, no support save from the Oriya community.

We have now stated the main facts regarding Singhbhum which our enquiry has elicited. The conclusion to which they point is clear, namely, that there is no case for including the Singhbhum district in a new province of Orissa. Linguistically and ethnically the Oriyas are a small minority of the population. Their claim is opposed by all other sections. The separation of Singhbhum from the rest of Chota Nagpur would not probably be in the interests of the primitive races to which the majority of the people belong. And whilst Singhbhum could be administered from Cuttack, its geographical position and lines of communication favour its retention in Chota Nagpur.

Ganjam Included in the new Province

It is believed that the Lion dynasty, which from about A.D. 473 ruled Orissa for more than six centuries, extended its sway over the neighbouring tract of Ganjam. This dynasty was overthrown in the 12th century by Chonanga Deo, the founder of the Ganapati line of kings. The domains of the Gajapati Kings certainly extended beyond the

river Kistna and their power was at its height in the 13th, 14th and 15th centuries. The wild nature of the country in Ganjam, however, rendered their administration merely nominal and it is probably for this reason that they established their servants as Lords of the Marches to keep in check the aboriginal tribes of Khonds and Savaras, who as late as the 18th century still occupied portions of the plains. Some of the present zemindars claim descent from the Gajapati kings, and the gazetteer of the district, written in the seventies of the last century, states that the Rajas "even at present still acknowledge the Raja of Jagannath or Puri as their chief." Most of the zemindaries are still held by Oriya families.

In 1560 the last of the independent kings of Orissa was defeated and slain by the Mahomedans, and from about 1571, Ganjam which formed part of the Chicacole Circar, was controlled by them from Hyderabad. In 1753 it was assigned by the Subedar of the Deccan to the French, but in 1762 the Northern Circars including Chicacole were given by the Mughal Emperor to the British as an Inam and were finally secured to them in 1766 by a treaty concluded with Nizam Ali. The Chicacole Circar had under Mahomedan rule been divided into three divisions, Ichapur, Chicacole and Kasimkota and the two latter were at first administered as part of the Vizagapatam district. It was not till 1802 that Chicacole was incorporated in Ganjam.

For many years after its cession to the British, conditions in Ganjam were very disturbed, and after the Ghumsur war it was considered necessary for the prevention of further outbreaks that the administration of Civil and Criminal justice in certain tracts should be removed from the ordinary courts and placed under the Collector as Agent to the Governor. This was the origin of the Agency system now in force in the maliahs or hilly areas inhabited by the Khondas and Savaras. The Agency tracts are administered by the Collector and his assistants who have large criminal and civil powers. They are not wholly excluded from the reforms, since they are included in the provincial constituencies, but all subjects are reserved, and the reserved half of the Government has full discretion in applying or refusing to apply provincial enactments.

Since the Ganjam plains are a border tract lying between Orissa and the Telugu lands to the south, it is probable that the population has from early times been mixed. It is hardly likely that, as some Oriya witnesses have contended, there were, when Ganjam was ceded to the British, no Telugus north of Chicacole. But, however that may be, we are concerned here as elsewhere with existing facts, and as far back as the seventies of the nineteenth century there were Telugu colonies all along the sea coast.

According to the 1901 Census the proportion per 1,000 who belonged respectively to Oriya and Telugu castes were:

Oriya	473	Telugu castes	466

In 1891 the classification of castes was on lines that make it difficult to extract comparable figures for that year, and the census reports of 1911 and 1921 show only certain main castes.

The remarkable feature in the returns is the large increase in the number of Oriya speakers in 1901, and the subsequent drop in 1911. The Census Superintendent for the 1911 census observed that the proportional variation was so remarkable "as to suggest either careless enumeration at one census or the other; or else a possibility of deliberate misrepresentation by Telugu or Oriya enumerators not misinfluenced by the controversies which prevailed some four or five years back between the Telugus and the Oriyas of the district. The probability that the error lies in the earlier enumeration is strengthened by an examination of the proportion of the district's Hindu population contributed by Telugu and Oriya castes, respectively. It is improbable that in 1901 when the Telugu castes were well nigh as strongly represented in Ganjam as the Oriya, the disparity as to language should be so great." He noted that the argument was not conclusive because in 1911 details were given only for 10 castes in Ganjam as against 75 in 1901. It is, however, on the face of it, improbable that, as the Oriya witnesses have contended, of all the enumerations from 1891 that of 1901 alone was correct.

In an area north of a line drawn from the Agency boundary along the northern boundary of the Jalantra estate, then north-eastwards along the Ichchapur sub-taluk boundary to Purushottampur on the Grand Trunk Road, and thence north of the Surla Salt Factory, and south-eastwards to Sonapur, the Oriyas are in a large majority by the tests both of race and language. A line drawn from Sonapur to Golantra would define still more exactly the Oriya and the Telugu areas, but see paragraph 64: it would include part of the Rushikulya irrigation system. The figures, as nearly as they can be calculated, are:—

	Race.	Language.
Oriyas	833,985	934,958
Telugus	168,982	160,156

The predominance is marked in all areas except the Chikati Zamindari, and a narrow coastal belt. In the Berhampur town the population is evenly divided, 48 per cent. being Telugu and 47 per cent. being Oriya. South of this line the Telugus outnumber the Oriyas except in the very small Bodarasinghi zamindari. In the Agency tracts the

aboriginal tribes are more than two-thirds of the population, but the Oriyas are not far short of one-third, and nearly one-third too speak Oriya as their mother tongue. The number of Telugus is negligible.

The Oriyas complained that at present they suffered from many disadvantages. The grievances particularly emphasised were the lack of educational facilities and the preponderance of Telugus in the Government service. It was admitted that the attitude of the Madras Government had been sympathetic. And it is, we think, probable that if most of the clerks, postmasters and canal subordinates are Telugus, this is largely due to the fact that the Telugus are more enterprising and industrious. Just as the Telugus feel the pressure of Tamil competition, so the Oriyas find it difficult to hold their own against the Telugus. Still, it is natural that the Oriyas should demand in an area predominantly Oriya a major share in the Government services, and it is probable enough that the Telugu predominance does entail for them some inconvenience. It can hardly be doubted too that to some extent the education of the Oriya community has suffered. Oriyas who wish to become teachers must pass in Telugu and it is apparently more difficult for them to do so than it is for Telugus to learn Oriya. Of the universities open to them Madras is distant, unfamiliar and uncongenial; at the new Andhra University Oriya is hardly likely to receive as much attention as Telugu; and it is not always easy for them to secure admission at Cuttack. Nevertheless, the origin of the demand for re-union with Orissa is not to be found in any specific grievances against the present administration. The desire of the educated Oriyas of Ganjam to be included in a separate province of Orissa is genuine and strong; but it is inspired by the ties of race, language, and history, of which they have become increasingly conscious during the last thirty years.

Subject to what is said below about the Parlakimedi zamindari, the educated Telugus are no less strongly opposed to the transfer of any portion of plains; they are less interested in the Agency tracts. They naturally prefer that the Ganjam plains should continue to be attached to the Telugu districts. They have nothing to gain by inclusion in an Orissa province, and whilst they do not admit that the Oriyas in Ganjam have any substantial grounds for complaint, they fear that their own interests will suffer under a government dominated by Oriyas. The Khonds and Savaras have probably no opinion. Very few of them know anything of the controversy that divides the Oriyas and Telugus, or are capable of forming any judgment thereon.

The transfer to a separate province of Orissa of such portion of the Ganjam district, as may on other grounds be thought desirable, will not, so far as we can see, involve any administrative difficulties; Ganjam is connected by road and rail with Cuttack, and is much nearer to Cuttack than to Madras. The whole of the Rushikulya irrigation system lies within the area of Oriya preponderance. A large part of the districts is permanently settled, and though the ryotwari tenures have features peculiar to the Madras Presidency, we cannot think that their management would cause any trouble. The Madras tenancy law differs in some respects from that of Orissa, but so does the latter from the laws in force in Bihar, Chota-Nagpur, and Sambalpur, all parts of a single province. Sambalpur was for many years part of the Central Provinces, and the old Central Provinces Tenancy law is still enforced there; a clear proof that a difference in tenancy law is not an obstacle to the transfer of a district to another province. Nor can we take seriously the argument that appeals will lie to another High Court.

It was been argued on the Telugu side that a minority is entitled to special consideration if it exceeds twenty per cent of the population, and we have been referred, in support of this contention, to the Minorities Treaties by which the minorities are protected in various parts of Europe. We cannot see that this argument has any application to the issue with which we are concerned. The Minorities Treaties regulate the treatment of minorities in countries whose boundaries had already been determined; they cannot be cited to prove either that the Oriya claim fails because the Oriyas are less than 20 per cent of the population of the Madras Presidency or that no area should be transferred in which the Telugus exceed 20 per cent. There is always an initial presumption against altering administrative arrangements of long standing, but, if a separate province of Orissa is to be created, we can discover no grounds which would justify refusing to include in it the area specified in paragraph 61. As we have shown, the Oriyas in this area outnumber the Telugus by nearly five to one, their desire for reunion with Orissa is genuine and deep-seated; and there are no administrative obstacles to the granting of it. It is unfortunate that this area includes a Telugu fringe; but the narrow coastal belt in which they predominate cannot be detached from the interior, and the wishes of a small minority cannot be the determining factor.

We are not, however, agreed as regards the Parlakimedi Zamindari. The majority of the Committee (the Hon'ble Mr. Mehta and Mr. Phookun) are in favour, for the following reasons, of adding this zamindari:—

"In conducting the enquiry as to what tracts now included in different province should be incorporated in the new Orissa province, if and when created, and in coming

to definite conclusions about its boundaries, we have agreed to take among others, the following important facts into our consideration:—

(a) The race to which the people of those portions of the provinces belong.
(b) The language they speak as their mother-tongue.
(c) The language they speak as their subsidiary language.
(d) The wish of the people residing in those areas."

The Committee are, however, agreed that all the Agency areas of Ganjam should be included in the new province.

GANJAM-ANDHRAS PROTEST.

The Report was opposed in a meeting at Berhampore.

Resolutions were passed pointing out that the reported recommendation of the Orissa Boundary Committee that the whole of Ganjam, excluding the taluks of Chicacole, Narasannapeta, Tekkali and Sompeta and a small portion of Berhampore Taluk, be included in the future Orissa Province was opposed to the wishes and highly detrimental to the interests of the Telugu population of the district and that the inclusion of Parlakimidi Taluk, of the eastern portion of Berhampore and Chatrapur Taluks, including Berhampore Town predominantly Telugu in population, was unjust and injurious to the interests of the people.

The meeting requested the India Government to reject the recommendations of the Orrissa Boundary Committee as they involved a deficit of 42 lakhs (i.e., a third of the expenditure of the proposed province) which necessitated extra taxation over a people which could not bear further taxation. It was decided that a deputation be organised to wait on the Governments of India and Madras to represent the views of the Ganjam Andhras against the recommendations of the Orissa Boundary Committee and that funds be raised immediately for carrying on agitation against the reported recommendations of the Orissa Boundary Committee.

GOVERNMENT ATTITUDE ON THE REPORT

Mr. B. Das, M.L.A., who was on a visit to Simla to gauge the official views on the recommendations of the O'Donnell Committee stated in course of an interview on June 11:—

"I found support for the Oriya cause both in high official and non-official quarters. While I found during my interviews that the va'ue of the O'Donnell report is universally acknowledged, the matter has to go before the Consultative Committee which, I am glad to hear, is being resummoned by the end of July or the beginning of August. Everybody here recognises that Oriyas' claim is stronger than even that of the people of Sind. I cannot believe that political considerations will be allowed by the Government to favour Sind and ignore the Oriya Province. I am now returning to my province with a view to consulting public leaders, so that as soon as the Consultative Committee meets, we may be able to organise a deputation which can wait on the Viceroy and if necessary on the members of the Consultative Committee."

SIND CONFERENCE

PROCEEDINGS OF THE CONFERENCE

THE Sind Conference was set up in accordance with the undertaking given by the Prime Minister in the course of his statement to the Round Table Conference at the close of its second session on the 1st of December last year. His Majesty's Government accepted in principle the proposition that Sind should be constituted a separate province if satisfactory means of financing it could be found.

It will be recalled that according to the findings of the Miles Irving Committee the basic deficit at present of Sind Province was 94.40 lakhs, being the difference between the total basic expenditure of 279.82 lakhs and the total basic revenue of 182.42 lakhs. The deficit, however, excluded any allowance for overhead and direction charges and showed the extent to which Sind was at present being financed by the rest of the Bombay Presidency. Adding the cost of separation, viz. Rs. 11.05 lakhs to the above deficit the total deficit which Sind would have to face at the time of separation amount to Rs. 103.45 lakhs.

Terms of Reference

The terms of reference of the conference in the Premier's words were "to try to overcome difficulties disclosed by the report of expert financial investigation conducted by the Sind Financial Enquiry Committee," although it will be open to members to scrutinise and criticise financial aspects depicted in the report.

Personnel of the Conference

In a communique dated the 16th of March the Government of India announced their intention of setting up a Sind Conference to sit at at Karachi early in April. It was stated that Mr. A. F. L. Brayne, Finance Secretary to the Government of India, would preside over the Conference on behalf of the Government of India and that in the meantime a selection of representatives of Sind was being considered in consultation with the Government of Bombay. On the recommendations of the Local Government, the Government of India invited several non-official gentlemen to participate in the Conference as representatives of Sind. The personnel of the Conference was announced on April 9.

(1) Dewan Bahadur Murlidhar Jerandas Punjabi, Pleader, Shikarpur, Sind; (2) Mir Bandehali Khan M.L.C., Jagirdar, Hyderabad (Sind); (3) Khan Bahadur Muhammad Ayuf Khuhari, M.L.C., Larkana; (4) Khan Bahadur Allahbakhsh Muhammad Umar, M.L.C., Shikarpur, Sind; (5) Sir Shah Nawaz Bhutto, Kt., M.L.C., Larkana; (6) Professor H. L. Chablani, Delhi; (7) Hon'ble Mr. Ali Baksh Muhammad Hussain, Member, Council of State; (8) Seth Haji Abdulla Haroon, M.L.A., Karachi; (9) Mr. Lalchand Navalrai, M.L.A., Larkana; (10) Mr. E. L. Price, C.I.E., O.B.E., and (11) Mr. Hoshang N. E. Dinshaw. Mr. H. Dow, I.C.S., Revenue Officer, Lloyd Barrage and Canals Scheme, also participated in the conference as a member on behalf of the Government of Bombay. Qazi Abdul Rahman, B.A., Chief Officer, Karachi and Mr. H. R. K. Batheja, I.E.S., Prof. of Economics, Patna College, Bihar and Orissa were also invited to take part in the conference.

THE PROCEEDINGS.

The first meeting of the Sind Conference was held on April 25, all the members being present. The Chairman in opening the proceedings, explained

the object of the Conference which, he said, was to try to overcome the difficulties disclosed by the report of the expert financial investigation made by the Irving Committee last summer. "It is thus clear," he continued, "that it is our first duty to examine these difficulties as they stand. We are not a further committee of enquiry. It is not our business to go over in minute detail the whole ground which has been traversed by the committee of experts who have fully sifted the great volume of evidence presented to them. At the same time, we are not precluded from criticising fully those estimates whereon the deficit is based and from suggesting modifications in the light of any later knowledge available. This is particularly so in the case of the Barrage scheme where further experience has been gained since the report of the Irving Committee was signed."

A summary of the proceedings follows:—

Adjournment Question

Mr. Allahbakhsh Umar, M.L.C., urged at the Conference that it should stand adjourned till the Federal Finance Committee's report was published and its recommendations as regards readjustment of central and provincial finance were known.

The chairman pointed out that the conference could not postpone its work till the Finance Committee's report was out but would have to proceed on the basis of the existing state of things. Any recommendation of the conference, he added, would be subject to modifications necessitated by future developments.

System of Taxation

Mr. E. L. Price, speaking next, criticised the whole system of taxation in India, which he characterised, as chaotic and unscientific. Karachi, for instance, got the benefit of the taxes on things of which only 13 per cent. was consumed in Karachi and Sind, while 87 per cent. was transported to Karachi's vast hinterland. Under the present system, moreover, people could pay tax to the Central Government and avoid provincial taxation. He asked if it was wanted that Sind should go on battening on the drink traffic of Bombay.

Deficit and Retrenchment

Khan Bahadur Khuro disputed the contention that Irving Committee's figures should be taken as final and said that deficit shown by that committee could be substantially reduced by retrenchment such as the Government of India, and the Government of Bombay were effecting at present.

Mr. Lalchand Navalrai, interrupting, pointed out that the present retrenchment was an emergency measure and was not permanent reduction, such as the pro-separationists proposed for Sind.

Ways and Means

Khan Bahadur Khuro, proceeding, urged that revenues from salt, tobacco, alcohol and income-tax, wholly or substantially, should be made available to Sind.

Mr. Lalchand Navalrai quoted extensively from the reports of the Round Table Conference and said that the position of the pro-separationists had changed from time to time. They first declared that Sind could stand on its own legs. Sir Nawab Bhutto had stated that Sind did not want outside financial help. But now that position had been given up and the Government of India was being asked to help.

Haji Abdulla Haroon appealed to Hindus and Mussalmans to sit together and find out ways of balancing the budget of Sind and not consider the matter from a communal stand point. Professor Chablani urged that the course of the conference should not be deflected and it should not be

converted into a committee of inquiry. Its concern was simply to discover means to meet the deficit

Mr. Abdul Rahman complained that since the question of separation had been mooted figures had been juggled and the deficit had been made to appear larger and larger.

The chairman pointed out that the complaint could have been made before the expert enquiry but not after.

Mr. Rahman proceeding asserted that those who were attending the conference must be taken to have accepted the principle of separation.

Inopportune Time for Separation

Mr. Murlidhar Punjabi doubted whether this was the time to ask for separation. It had been agreed at the Round Table Conference that the conditions of separation were that not only the deficit should be met but that means should be provided for future expansion in all directions. They should want separation on the principle that they were going to be better off. If it was accepted that the Government of India should help since then why not ask them to meet the whole deficit and disperse the conference at once?

Referring to the suggestion that the conference should adjourn till the publication of the Federal Finance Committee's report. the speaker said that there could be no finality about this report for it had to be accepted by a further conference and there was every chance that it might not so be accepted. Were they to wait till ultimate decisions were taken on it ?

Mr. Murlidhar declared that he would be the first person to join any attempt to separate Sind when conditions had improved. Meanwhile he would consider on its merit every proposal made by the pro-separationists to meet the deficit.

Distribution of Debts

As regards debt, the majority were in favour of the figures adopted by the Irving Committee with a modification that the interest on the Barrage debt during construction should not be added to capital but should be distributed between Bombay and Sind in proportion to the existing revenues of the two areas.

As an alternative the Muslim representatives proposed the distribution of the whole debt on the day of separation in proportion to the existing revenues (excluding additional revenues from the Llyod Barrage). Other members expressed the opinion that if this method were pursued the Barrage revenues should also be included in order to arrive at a true proportion.

Pensionary Liability.

As regards pensionary liability, the majority favoured the distribution on the basis of the existing revenues of Bombay and Sind, while others supported the proposal of the Expert Committee that the distribution should be on the basis of cost of pensionable establishments. It was, however, generally agreed that the calculations required further examination because from certain figures given to the conference it appeared that if Sind were directly responsible for the payment of all pensions earned in her service, the initial liability would not exceed Rs. 10 to Rs. 12 lakhs instead of Rs. 16.5 lakhs as proposed by the Irving Committee.

Growth of Expenditure

On the question of the growth of expenditure after the separation, several members expressed the view that the estimates of the Expert Committee were excessive. The opinion that the road development could be met from the Fund formed by a levy on the amounts realised by the sales of land under the Lloyd Barrage was advanced.

It was also suggested that the additional expenditure on education and other public services could be met from the increased revenues of Local Boards which did not at present levy the full amounts permitted by law.

Growth of Revenue

Further, the revenues of the Local Boards must increase with the Lloyd Barrage and this would be available for the expansion of expenditure on such services.

Estimates of the Expert Committee

Other members held that the estimates of the Expert Committee were too low and that much more money would be needed if a proper standard of public administration were to be maintained. One member expressed the view that the capital expenditure proposed would have to be doubled on the basis of the past expenditure and that the expenditure met from the revenues would have increased by nearly two crores of rupees after 30 years.

It was pointed out that the estimates of the Expert Committee dealt only with such expansion as was considered inevitable. It was, however, generally agreed that any estimates of future expansion of expenditure and revenue must be purely conjectural and were therefore of little value. If Sind desired expansion it would be necssary to find new sources of revenue.

Cost of Separation

In connection with the additional cost of separation put by the Expert Committee at Rs. 11 lakhs there was considerable divergence of opinion as to the amount which would actually be necessary. It was argued that considerable economy could be effected in the estimate of possible reduction on the Committee's estimate amounting to over Rs. 4 lakhs. On the other hand, it was contended that standard of administration lower than that found necessary in other small provinces such as Assam or the North-West Frontier Province could not be tolerated in Sind and if these standards were applied throughout, the additional cost would be more than double that estimated by the sub-committee.

Lower Scales of Pay for Ministers

The majority agreed on the number of ministers and secretaries proposed by the Expert Committee, but thought that economy could be effected by adopting lower scales of pay for ministers and by the employment of a provincial service instead of I. C. S. Secretaries.

System of Taxation

Mr. E. L. Price, representative of the Karachi Chamber of Commerce, dealt extensively with the system of taxation. He first dealt with the belief firmly held by many people that Sind can impose toll and tribute from the whole of the Karachi hinterland.

Of the imports over the Karachi wharves, three per cent. were consumed in Karachi, possibly ten per cent. in Sind, and 87 per cent. of the balance went to the hinterland which included, not only parts of Rajputana, the whole of the Punjab, Baluchistan, through Chaman and Peshawar into Afghanistan, but also through Duzdab into Persia. It also ran into Kashmir and the U. P. Continuing, Mr. Price said that the system of taxation in Sind was most unscientific and gave instances to prove the point.

Mr. Price suggested that the Barrage with its permanent works and the Canals should be made a funded debt. The present debt of Rs. 21,00,00,000 in connection with the Sukkur Barrage could either be held in reserve or be put on the market. As the receipts from the land came in they could use the money to pay off the capital, so that eventually the funded debt would stand at about Rs. 11,00,00,000.

Meeting the Deficit

Mr. Lalchand Navalrai, giving evidence, stated that the Expert Committee examined carefully the probable revenue and expenditure of a separated Sind and the security of debt on the Sukkur Barrage. As their investigation shows that separation would leave the new province with a deficit, then, according to the Round Table Conference Committee, the representatives of Sind should now be asked to show satisfactorily how the deficit could be met with before the new province is set up. They cannot say nor attempt to prove that there is no deficit.

Khan Bahadur Allah Baksh said that retrenchment made at present was Rs. 10,00,000 or Rs. 15,00,000, and that would not help in a separated Sind. They all know how much the retrenchment, already effected, had distressed the country. They must not borrow nor ask for a subvention. With regard to the Barrage Scheme they could not count too much on its results.

The Extent of the Deficit

The deficit of Rs. 103.45 lakhs which Sind had to face at the time of separation as computed by the Irving Committee, however, was increased to about Rs. 110 lakhs at the Sind Conference when allowance was made for expenditure over the audit office, etc., which, it was pointed out, the Expert Committee had forgotten to take into consideration. Thus the problem, which those in favour of separation at the Conference had to face, was how to make good this huge deficit.

Dealing with the expenditure side, it was suggested that further retrenchment than that already effected might be made in the Government establishments. The retrenchment so far made amounts to 13 lakhs permanent saving and 8 lakhs temporary saving. The various suggestions made to reduce establishments were expected to effect a total cut of 61 lakhs.

Moslem Proposals of Meeting the Deficit

On the revenue side, the Mahomedans claim income-tax which yields 21 lakhs. They also propose an additional assessment of one anna per rupee estimated to yield 12 lakhs. The other new taxes suggested are a cess of one rupee per bale of cotton passing through Karachi, which is expected to bring in another 10 lakhs, a tobacco tax to produce 5 lakhs, an electricity tax to yield 2 lakhs, a tax on fisheries to yield one lakh and a license fee on arms to yield half a lakh.

They also urge the imposition of a license fee on lawyers, medical practitioners, veterinary surgeons, money-lenders, domestic servants, etc., to yield 2 lakhs. The total additional income expected by these measures will be 69 lakhs which, combined with a retrenchment of 61 lakhs, would make a total of 130 lakhs, which would cover the deficit of 110 lakhs and leave 20 lakhs for expenditure on nation-building departments. A proposal for a lottery is another suggestion made by Mahomedan representatives.

The Skeleton Report

A summary of the discussions in the form of a skeleton report was placed before the Conference at its final meetings on the 16th and 17th May with a view to ensuring that the various opinions and conclusions expressed throughout the course of the Conference were correctly understood. The results of divergent views were summed up.

On the one side there was the assumption that the present depression of trade and the slump in prices would continue for some time and that the separation of Sind would involve higher additional expenditure than has been supposed, resulting in an estimate of the deficit considerably higher than that arrived by the expert enquiry. On the other hand it was contended that the conditions would improve at an early date and drastic economy

must be effected in the cost of separation and in the existing scales of expenditure, while the revenue position would be materially improved by various new measures. On these assumptions the deficit could be reduced to a figure about one-third of that reached by the expert report.

Mr. A. F. L. Brayne, Chairman of the Conference, left for Simla on May 18, 1932 to make his report to the Government of India.

ANTI-SIND SEPARATION CONFERENCE

In this connection the activities of the Anti-Sind Separation Conference may be mentioned. In its session held at Hyderabad on June 19, the following resolutions protesting against separation were passed:—

1. That this Conference respectfully invites the serious attention of His Majesty's Government to the following facts: (a) The case of the separation of Sind was rejected by the Bombay Government's Provincial Simon Committee over which Sir Shah Nawaz Bhutto presided, by six to one majority, and the President himself voted against separation; (b) The conditions laid down by the Simon Committee have not been fulfilled in Sind; (c) The separation case was presented to the Round Table Conference and His Majesty's Government without affording an opportunity to the Hindus to present their case either to the Round Table Conference or to the Sind Separation Sub-Committee; (d) Non-Muslim members on the Sind Sub-Committee of the Round Table Conference who knew little or nothing about the conditions in Sind, or facts of the case, were led to accept the principle of separation of Sind from the Bombay Presidency on the express assurance given by leading Muslim delegates like His Highness the Agha Khan, Mr. Jinnah, Sir Shah and Sir Bhutto that Sind will not be a deficit province and would be able to stand on its own legs; (e) The constitution of Sind into a separate province with subvention from the Central Government for a limited period even would permanently constitute a breach of faith in the face of the clear ruling of Lord Russel, Chairman, Sind Sub-Committee, that the recommendation of the Sub-Committee is that if Sind cannot stand on its own legs, the separation does not take place; (f) In view of the acute depression in agriculture and trade, uncertain factors are involved in all estimates of financial and economic consequences of the Sukkur Barrage at the present time. The most important point for estimating the normal deficit of the province is the level of taxation to be raised for meeting a part of the normal growth of expenditure inevitable under the new conditions created by the Sukkur Barrage. While discussing the question of financial adjustments, the amount of subvention that will be necessary, or period for which the subvention will continue, should be determined; (g) In the interests of the people of the province who will be primarily affected by the decision to separate Sind from the Bombay Presidency, it is but just to disentangle this question from the general struggle for power between All-India Hindu and Muslim politicians; (h) That in view of the findings of the Sind Financial Enquiry Committee and the heavy fall in the prices of agricultural produce and of land in Sind which show no signs of improvement, the best interests of the country and the province demand that so important an issue as the constitution of Sind into a separate province, which will saddle Sind with a heavy financial responsibility, will not be considered.

(2) That the Conference records its emphatic opinion that Sind is not in a position to bear additional taxation owing to acute distress of all classes. The tax-payers protest against the addition of one anna per rupee over the existing land revenue rates in the Barrage Zone and the imposition of transit duty on cotton bales passing through Karachi as also against the professional tax, as the majority of the people who will be hit by this taxation are non-Muslims.

(3) That the Conference invites the Government's attention to the observation made by Lord Russel and Marquis of Zetland and the assurance given by Sir Bhutto, Mr. Jinnah and H. H. the Agha Khan at the Round Table Sind Committee.

(4) The last resolution authorised the President to cable the first resolution to the Premier and take necessary steps regarding others.

RETRENCHMENT PROPOSALS

BENGAL RETRENCHMENT COMMITTEE.

APPOINTMENT OF THE COMMITTEE.

IN the last session of the Bengal Legislative Council several resolutions were tabled recommending to Government the desirability of appointing a Retrenchment Committee. The one that was actually put to the vote and carried without a division was moved by Mr. J. N. Gupta. It ran as follows:—

"This Council recommends to the Government that a Committee of Retrenchment be appointed for the province to examine and consider all possible retrenchments of the administration both on the Reserved and the Transferred sides, and to recommend to Government to take suitable action either in their own competence or by reference to the proper authority with a view to effect a substantial reduction in the cost of the administration."

The Personnel of the Committee

According to the recommendation of the Legislative Council a Committee was appointed consisting of the following gentlemen:—

Mr. J. A. L. Swan, C.I.E., I.C.S., Chairman; and Mr. J. N. Basu, M.L.C., Mr. H. Birkmyre, M.L.C., and Khan Bahadur Maulvi Azizul Haque, M.L.C., to constitute a Committee, with Mr. S. K. Haldar, I.C.S., as their Secretary.

Terms of Reference

The following are the terms of reference:—

"To review the expenditure of Government and make recommendations as to any economies which in their opinion might reasonably be effected in view of the present financial situation."

It is hoped that the Committee will be able to submit their report for the consideration of Government by the end of August next.

A good deal of opinions as to how retrenchment can be effected were published in the press. The most important of them follow:

BENGAL PRESIDENCY MUSLIM LEAGUE'S SUGGESTION

The Council of the Bengal Presidency Muslim League feels that no worth-while retrenchment is possible in the present administration, unless the policy of the Government is changed. The Council is unable to suggest anything if the Retrenchment Committee is only to tinker with the problem and make some little changes of percentages here and there.

Seeing that 90 p.c. of the people of Bengal are cultivators and that their poverty is proverbial, the average income of a Bengali peasant being about one anna a day, it is the considered opinion of the Council of the League that the first postulate in arriving at a decision about the cost of any given system of administration should be to weigh up the ability of a people to maintain the expenses of its administration; the salaries of its public servants should be tied up to a multiple of the average income of a citizen for comparison. The Council of the League suggests the following changes:—

1. GOVERNOR OF BENGAL—New York, the richest state in the richest country in the world, pays its Governor Rs. 6,250 per month plus only an Executive Mansion, while Bengal, which is incomparably poorer, pays its Governor the princely salary of Rs. 10,000 plus all found. The revenue of the State of New York is $ 330,021,871, whereas the revenue of Bengal is Rs. 12,56,67,000. According to this proportion the salary of

the Governor of Bengal should be Rs. 946. However, to avoid being called ultra-socialistic, the League will say that the maximum salary of the Governor of the province should be Rs. 2,500 per month plus the use of Government House only. The sumptuary allowance, staff and household expenses and contract allowance amounting to Rs. 7,49,000 should be abolished altogether. The tour expenses should be cut down. If the Premier of England can travel 3rd Class, we fail to see the rationale of the Governor of Bengal having special saloons and boats. The Darjeeling exodus should be stopped.

3. EXECUTIVE COUNCILLORS, MINISTERS AND PRESIDENT OF COUNCIL.—Executive councillors, if any, and Ministers should be limited to 4 only. It was possible for a Lieutenant-Governor to rule Bengal, Bihar and Orissa with the help of a Chief Secretary only a few years ago. To-day, we have a high-priced Governor assisted by four members of the Executive Council and three Ministers. The League feels that Executive Councillors (if any), Ministers, and President of Council should be honorary—capable and self-sacrificing men to work as such will not be wanting. A sumptuary allowance of Rs. 1,000 per month may be given for house, conveyance and maintenance of dignity. The post of Deputy President of the Council should be honorary. There would then be a saving of about Rs. 4,28,844 annually.

3 COMMISSIONERS—All Commissionerships of Divisions should be abolished. This will mean a saving of Rs. 4,57,000 yearly. District Officers should correspond with the Secretaries of the Government, who should be assisted by the appointment of a sufficient number of Under-Secretaries, who should be mainly Indians, so that Indians may get proper training in Secretariat work and the Indian view-point may be prominently brought forward.

4. The following departments, (a) Agriculture, (b) Public Health, (c) P.W.D. and (d) Irrigation, should be reduced to the minimum and their work should be done through the District Boards, which should be given sufficient subsidy for the purpose.

5. The posts of Surgeon-Generalship and Director of Public Instruction should be abolished and their work done directly by the Minister-in-charge. This would mean an approximate saving of Rs. 73,968 yearly.

6. ECCLESIASTICAL DEPARTMENT—This department should be totally abolished. This will mean a saving of more than Rs. 3,11,000 annually. The State allows freedom of worship and the League fails to see how only some Church of England dignitaries can be paid from State finances.

7. The Smoke Nuisances Commission may be put under the officers of the Boiler Commission, Bengal, and a saving made of about Rs. 30,000 yearly.

8. The pay of All-India services, (if any) should be on a scale of Rs. 400-800 per month, but district officers should have a special allowance of Rs. 200 p.m. New recruitments to these services should be stopped temporarily.

9. Secretaries to the Government should have a special scale of Rs 800 to 1,200 p.m.

10. All overseas and personal allowances must cease and no discrimination should be allowed between officers, whether Indian or European, for the same work. All special appointments should be abolished.

11. The pay of the Provincial services should be on a scale of Rs. 150-500 p.m. and meritorious officers of some years' standing should have no bar whatsoever to further promotion to the highest offices under the State. New recruitments to these services should be stopped temporarily.

12. All subordinate services should be abolished.

13. Ministerial officers should have a scale of salary of Rs. 50-150 p.m., with a selection grade up to Rs. 300.

14. Menials should have a minimum salary of Rs 30 p.m. A person cannot live like a human being on less than that sum. This will mean contentment of the kind of people who require to be contented.

15. In all services, officers who have completed 25 years' service, should be pensioned off. This will not only be very good economy but will also relieve unemployment to some extent with reference to future entrants. Officers who have been 25 years in service must have put by something to fall back upon, besides their pension.

16. The Police department expenses may be cut down by organising honorary volunteer corps in every town and village. This would be an excellent way of making the people co-operate in maintaining law and order.

17. Union Boards should be made more efficient by changing their organisation. When this is done, a large number of courts may be abolished. Honorary Munsifship should also be inaugurated.

18. EDUCATION DEPARTMENT—De-provincialization of schools and colleges should be given effect to. With regard to grant to schools, Hindu, Muslim or European institutions should be treated in the same way and placed on the same footing.

19. The Government of Bengal should try to change the Meston Award, especially with regard to the jute-duty. It is only fair that at least the jute-duty should be appropriated by Bengal. This will mean an additional revenue of about 4½ crores of

rupees annually and financial relief to the province. On this point there seems to be unanimity of public opinion in Bengal.

In conclusion, the League submits that the changes suggested may not be possible of immediate application; the Local Government and even the Government of India have no power to act up to some of the League's suggestions, such as the reduction of the Governor's and the Executive Councillors' salaries; but it wishes to lay before the Government and the public that in the reorganization that is immediately ahead of us changes of the nature the League is suggesting are the only means by which the budget of the province of Bengal can be balanced and the work of the nation-building departments expedited. The Retrenchment Committee may accept those of the League's proposals which the Local Government has the power to carry out and as for the other proposals the Retrenchment Committee may embody them in their report as suggestions for future consideration of the authorities concerned.

BENGAL NATIONAL CHAMBER OF COMMERCE.

The Bengal National Chamber of Commerce opine that the existing rate of taxation is the highest that Bengal can bear and hence the deficit of Rs. 2 crores per annum must be met by curtailing expenditure. Examining the various heads of expenditure the Chamber urge simpler establishment of the Governor and a re-organisation of the Secretariat to yield substantial economy by eliminating unnecessary duplication of work. The Chamber suggest the abolition of the posts of the Chief Secretary, Secretaries of departments with a departmental head such as Irrigation, Public Works, Education, Public Health, etc. The Chamber further opine that, apart from all that, assuming without admitting that the post of the Chief Secretary is a necessity, there is no reason to fix the Chief Secretary's salary at Rs. 3,750. The Chief Secretary is supposed to hold the same rank as a Divisional Commissioner; and as such his salary should be fixed at Rs. 3,000, and even if he is given a compensatory allowance of Rs. 250 per month, it would have been a net saving of Rs. 6,000 per year. Then there are 5 Secretaries and a Legal Remembrancer. All these six officers draw pay at the rate of Rs. 2,750. The normal procedure elsewhere in India is that a Secretary to Government draws pay on the senior time-scale and a Secretariat allowance of Rs. 250 per month. In the event of this procedure being adopted in Bengal, the Secretaries would draw roughly Rs. 2,500 per month which would amount to a saving of Rs. 18,000 per year.

The Chamber also feel that the cost of the administration has been rendered unduly high by the large number of officers recruited from the Indian Civil Service serving under the Provincial Government with only 27 districts. The Chamber add, Bengal certainly does not require the services of 176 civilians. The Chamber also take strong exception to the policy of giving superior charges to junior officers of even 5 or 6 years' standing, thereby giving them the benefit of senior scale of pay. Referring to the inordinate rise of expenditure in the police department, the Chamber suggest a radical change in police administration. The Chamber also think that the highest emoluments of any office should not exceed Rs. 2,500. The Chamber consider the flat cut of 10 per cent. as too meagre in regard to the Superior Services and recommend a further substantial cut on a graduated scale.

INDIAN CHAMBER OF COMMERCE, CALCUTTA.

The Indian Chamber of Commerce regretted that the recommendations of the Bengal Retrenchment Committee (1923) had not been given effect to. The Committee recommended a cut of Rs. 1¼ crores but as a matter of fact, the Chamber points out, the expenditure has since gone up by Rs. 1½ crores. The Committee then proceeded to make tentative proposals to wipe out the anticipated deficit of Rs. 2 crores.

The Chamber urges that the axe should be applied at the top and superior officers should be requested to offer voluntary reductions in their emoluments. Failing this, legislative authority may be sought to enable the Government either to reduce salaries

and allowances etc., or to levy such special surtaxes from Government servants as would bring about the desired economy.

The total expenditure on the Governor of Bengal (including his staff and household) should not, in the opinion of the Committee, exceed Rs. 1 lakh per annum. The Committee further feel that no officer of the Crown, however highly placed, should receive total monthly emoluments of more than Rs. 2,500, excluding His Excellency the Governor. All special allowances, honoraria, Lee Commission benefits and other awards to officers of Government should now be done away with and travelling allowances should be curtailed considerably. The summer exodus to Darjeeling entails heavy annual burden on the exchequer and it should be discontinued at once. His Excellency the Governor should be able to manage without having a special train to himself, and officers drawing amounts less than Rs 1,500 per month should be allowed Second Class travelling allowances in Railways instead of First-Class. Similarly, those who draw salary of less than Rs. 500 per month should travel Inter-Class and persons drawing less than Rs. 100 per month should feel no hesitation in travelling Third Class.

HOURS OF WORK—The Committee propose that there should be an increase in the hours of work as well as in the number of working-days in Government offices so as to bring them in line with banks and commercial firms, and the number of holidays and other leaves should be curtailed. The number of holidays in the High Court and the Subordinate Courts should also be reduced, and the working hours extended.

CUT IN SALARY—As regards immediate reduction of salaries, the Committee suggest the following scale, provided the maximum salary and emoluments do not exceed Rs. 2,500 in any case:—

Salary below Rs. 50, no cut; salary below Rs. 51 to Rs. 100, 6¼ p.c.; salary below Rs. 101 to Rs. 250, 10 p.c.; salary below Rs 251 to Rs 500, 15 p.c.; salary below Rs 501 to Rs. 1000, 20 p.c ; salary above Rs 1000, 25 p.c. or more as necessary to bring down the highest salary to Rs 2500 per month and others Rs 1000 per month.

REDUCED SCALE FOR NEW ENTRANTS—It is suggested that for future entrants a reduced scale should be laid down. For new appointments, the Committee feel that Ministers, Executive Councillors, High Court Judges and persons of similar position should not receive more than Rs 2000 per month. The pays of the Advocate General and the Solicitor to Government should be reduced to Rs 1.000 per month Members of All-India Services should be satisfied with a scale of Rs. 500 to Rs. 1200 and provincial service men may be given salaries of Rs 200 to Rs. 500. For subordinate services, the salary should be between Rs. 100 and Rs 300, and the clerical staff should get between Rs. 40 and Rs. 150.

REDUCTIONS SUGGESTED—The Committee think that the Government of Bengal should be managed efficiently by two Executive Councillors and two Ministers instead of seven members of the Government as at present. As regards the Secretariat of Bengal, the Committee are of opinion that the Board of Revenue and the Divisional Commissioners should be abolished. The Land Acquisition Establishment should be abolished and the necessary work should be carried out by Sub-Judges. The Irrigation Department provides room for considerable reduction in view of the suspension and postponement of many of the works under this head. In regard to P. W. Department, the recommendations of the Bengal Retrenchment Committee should be carried out and all civil works should be stopped.

EDUCATION DEPARTMENT—The office of the Director of Public Instruction, Bengal, should be combined with that of the Secretary, Education Department, and the Government Art Schools and Colleges should be de-provincialised. In regard to inspection of schools and colleges, it is the considered opinion of the Committee that considerable economy could be effected if arrangements are made for having suitable inspection work carried out honorarily by non-officials living in different localities.

ECCLESIASTICAL DEPARTMENT—The Committee fails to understand why, in spite of assurances of equal treatment to subjects of all faiths and creeds, the Government should be partial to the organisation of one religion, by providing money for its establishment and propagation.

THE POLICE—The Committee consider that the police expenditure in the province could be reduced by nearly 50 p.c. Among other suggestions which the Committee would make are that the post of the Inspector-General of Registration should be abolished as recommended by the Bengal Retrenchment Committee and that the agency of the Indian Stores Department should be utilised by the Bengal Government in order to obtain goods of the best possible quality at the lowest possible cost.

The Committee submit that there should be no attempt, in the name of economy, to curtail expenditure on such services as are conducive to the progress of trade, industry and agriculture of the province.

SUMMARY OF CUTS PROPOSED—The following is a summary of the cuts proposed by the committee for balancing the Bengal Budget of 1932-33. The proposals made would bring down the expenditure by about Rs. 2,32 lakhs:—Land Revenue Rs. 6,35,000; Excise Rs. 2,38,000; Stamps Rs. 5,000; Forest Rs. 2,20,000; Registration Rs. 4,15,000;

Irrigation (Revenue a/c) Rs. 1,20,000; Irrigation (Working Expenses) Rs. 2,00,000; Irrigation (Construction) Rs. 2,00,000; General Administration Rs. 32,76,000; General Administration (in England) Rs. 54,000; Administration of Justice Rs. 23,21,000; Jails and Convict settlements Rs. 20,00,000; Police Rs. 72,55,000; Ports and Pilotage Rs. 1,00,000; Scientific Departments Rs. 4,000; Education (Reserved) Rs. 10,00,000; Education (Transferred) Rs. 20,00,000; Medical Rs. 5,00,000; Public Health Rs. 5,00,000; Agricultural Rs. 3,00,000; Industries Rs. 2,00,000; Miscellaneous Departments Rs. 1,00,000; Civil Works Rs. 10,00,000; Civil Works (not charged to revenue) Rs. 10,000; Stationery and Printing Rs. 5,00,000; Miscellaneous Rs. 1,00,000; Total Rs. 2,32,53,000.

BRITISH INDIAN ASSOCIATION

The British Indian Association makes out a case for axing the reserved side which eats up the resources of the Provinces. Enumerating the salaries of the different services under the Government the Association shows that these press heavy weight on the provincial finances and compares them with those prevailing in other countries. The Association advocates that an "Indian Scale of Salary" should be introduced. Among other recommendations the Association suggests that the number of Executive Members and Ministers should be reduced to two each and their salaries standardised; the post of Divisional Commissioners should be abolished; Co-operation Credit Department should be amalgamated with Agricultural Department; the Judicial and Executive Departments should be separated, the former being placed under the High Court; the number of Munsiffs and Sub-Judges should be reduced; Honorary Munsiffs should be appointed with minimum jurisdiction; the number of superintending Engineers, Inspectors of Local Works and Executive Engineers in the Public Works Department should be reduced; inspecting staff in the Education Department should be considerably reduced; etc.

BOMBAY RE-ORGANISATION (RETRENCHMENT) COMMITTEE.

In view of the difficult financial situation the Government of Bombay proposed some time back to appoint a Re-organisation Committee to suggest retrenchments in the administration of the Presidency but with the refusal of the Secretary of State to accord sanction to the appointment of Sir Frederick Gauntlett, a former Auditor-General of the Government of India as Chairman of this Committee, the Government of Bombay was in a fix. After a good deal of search for a competent man with administrative experience, the Government of Bombay finally decided on April 25 to appoint, subject to the sanction of the Secretary of State, Mr. G. A. Thomas, Home Member, as Chairman of the Re-organisation Committee.

PERSONNEL.—The personnel of the Committee (besides the Home Member) will be: Sir Cowasji Jehangir (Jr.), Dr. R. P. Paranjpye and Mr. E. W. Perry, I.C.S. (Secretary).

TERMS OF REFERENCE.—The terms of reference of the Committee are very wide and the Committee will inquire into the general administration of the Presidency, including the P. W. D. and the Secretariat administration.

It will begin to function immediately the sanction of the Secretary of State is accorded to the appointment of Mr. Thomas as chairman. This sanction is necessary as the Home Member, an Executive Councillor, is appointed by the Secretary of State.

BOMBAY CABINET REDUCED

In the meanwhile the Governor of Bombay decided to reduce the strength of the Cabinet. A communique dated June 4 states that, in view of the difficult financial position of the Presidency, His Excellency the Governor has decided that it is desirable to reduce the number of Members of his Council and Ministers from four and three to two and two respec-

tively. All the present Hon. Members and Ministers have promised to co-operate with His Excellency the Governor in bringing in this change whenever found necessary. Accordingly, the King Emperor has approved of the acceptance of the resignations of Sir Govind Pradhan, present Finance Member, and Mr. G. A. Thomas, present Home Member, with effect from July 15. To effect the desired reduction in the number of Ministers, His Excellency the Governor is accepting the resignation of Maulvi Sir Rafiuddin Ahmed with effect from the above date.

RETRENCHMENT IN SERVICES IN MADRAS

The Government of Madras was also busy in exploring ways and means of effecting retrenchments. The following revised rule was issued on May 1 in the matter of posts substantially vacant on and from the 15th August last to be regarded as temporary:—

The rule issued on the 5th August, 1931, protects the interests only of those officers who had completed or were deemed under the statutory rules applicable to them to have completed their period of probation satisfactorily before 15th August, 1931. Government have reconsidered the matter and have decided to extend the protection to certain other classes of officers.

The following rule was issued:—

Notwithstanding anything contained in any rules for the time being in force (hereinafter referred to as the said rules) which were either made by the Local Government in exercise of the powers conferred by the Civil Services (Classification, Control and Appeal) Rules or which may be cancelled or modified by them in exercise of such power—

(1) the cadre of any Provincial or Subordinate Service or any class or grade in such service shall be deemed—

(a) to be reduced by the number of posts which are substantially vacant on the 15th August 1931, or which fall substantively vacant after that date, and,

(b) unless the Local Government otherwise direct, to be increased temporarily by the number of such posts;

Provided that this clause shall not affect the right of any person to appointment in any such service, class or grade or any post therein—

(i) in case a period of probation has been prescribed in respect of such service, class, grade or post, whether by the said rules or by any orders applicable to such person and in force for the time being if such person has completed or is deemed under the said rules or orders to have completed his period of probation satisfactorily before the 15th August, 1931; and

(ii) in case a period of probation has not been so prescribed—if such person could have been appointed substantively to such service, class, grade or post before the 15th August, 1931 or had before that date officiated in such service, class, grade or post either for a continuous period of two years or for a total period of two years out of a continuous period of three years

Provided further that nothing in this clause shall bar the promotion of any person holding substantively any post—

(i) in an ordinary grade of a service or class to the selection grade thereof, or

(ii) in any grade of a service or class to a higher grade therein, provided that neither of such grades is on a time-scale of pay, and

(2) a person whose case is not governed by the proviso to clause (1) shall, on appointment to any Provincial or Subordinate Service or to any class or grade thereof or any post therein, be entitled not to the rates of pay specified in the said rules for such service, class, grade or post but to such rates of pay as the Local Government may hereafter fix in that behalf.

RETRENCHMENTS IN U. P. AND C. P.

As a result of the recommendations of the Posts and Telegraphs Retrenchment Committee appointed by the Government of India, the appointment of the Deputy Postmaster-General (Telegraphs) and two Postal Divisions in the United Provinces have been abolished from the beginning of the year, resulting in a saving of nearly a lakh of rupees.

As a measure of retrenchment, the Income-Tax Department of the Central Provinces will be amalgamated with that of the United Provinces and a joint office will be opened at Lucknow.

ORDINANCES IN OPERATION

GOVERNMENT POLICY ON SPECIAL MEASURES.

REPUGNANCE to government by Ordinances was expressed in a representation made to the Government of India (January 25,1932) by the Council of the Western India National Liberal Association. The representation also contained suggestions regarding the administration of the Ordinances and invited the attention of the Government to the operations of the Criminal Law Amendment Act of 1908 in so far as it affected the activities in connection with the advocacy of the use of Indian goods. The position of the Government was stated in their letter dated April 11 addressed to the Association. In it the Viceroy assured the Council that resort to Ordinances was repugnant to His Excellency and his Government and deplored the necessity which occasioned their promulgation. He also upheld that any action taken should not be arbitrary or vindictive.

THE TEXT OF THE LETTER.

The text of the letter written by H. E. the Viceroy's Private Secretary follows:—

"His Excellency is glad to observe that in accordance with their adherence to constitutional methods, the Council hold that the civil disobedience movement cannot be in the best interests of the country. At the same time, they state their repugnance to government by Ordinances, and express their emphatic opinion that no Ordinance should interfere with the liberty of a law-abiding subject and much less with the ordinary amenities of civic life; nor ought it hamper legitimate political activity.

I am to assure your Council that resort to Ordinances is repugnant to His Excellency and his Government, and thev deplore the necessity which has occasioned their promulgation. They would, however, remind your Council that the movement which the Ordinances are designed to meet has as its proclaimed object the subversion of government as established by law through the paralysis of the administration, and that its methods include direct interference with the freedom of the people and with the ordinary amenities of life, and substitute direct action for constitutional political activity. In combating the movement, Government are, therefore, acting in defence of the principles to which your Council rightly attach importance, and they are, therefore, the more anxious that measures which they themselves may have to take shall involve as little encroachment on those principles as circumstances permit.

No Vindictive Action

In regard to the suggestions contained in the representation regarding the administration of the Ordinances, I am to say that it is the desire of the Government of India that the powers should not be used in excess of requirements or for purposes other than those for which they are intended. It is further their desire that the action taken should not be arbitary or vindictive, or designed deliberately to cause humiliation. The wishes of the Government of India in these respects were communicated to Local Govenments some weeks ago, and the Government of India believe that the latter are giving full effect to them.

As regards some of the particular provisions to which your Council refers, I am to make the following observations:—

Under Section 3

(a) The Council suggests that if the time has not come to make section 3 of the Emergency Powers Ordinance inoperative, a *locus paenitentiae* should be given to persons arrested by affording them the opportunity of making a declaration in writing, and of furnishing security, to abstain from acts prejudicial to the public safety or peace. In this connection, I am to say that although the powers contained in section 3 are still required, local governments are not at present finding it necessay to resort to them to anything like the same extent as two months ago. It may, for instance, be of interest to your Council to know that while the number of persons in detention under section 3 at the end of January was 2,758, the number was only 341, at the end of February.

Order to Report

Again, it is definitely the policy of Government to afford a *locus paenitentiae* to those persons, detained under the section, who are prepared to give undertakings to the satisfaction of the Local Governments concerned that they will not act in furtherance of a movement prejudicial to the public safety, and a large number of persons have been released on giving such undertakings. Your Council will, however, doubtless agree that the object of this section and of section 4 would be defeated, if local Governments failed to satisfy themselves that such undertakings, if given, would be duly observed. In this connection, I attach an extract from a circular * issued by a Provincial Congress Committee which illustrates the nature of the difficulties with which Local Governments have to contend.

(b) The above remarks are relevant to the observations of the Council regarding the administration of section 4 of the same Ordinance. Reference is there made to orders which require that the person concerned should report himself to a police station, and it is suggested that some persons, who are unwilling to suffer this indignity and, therefore, defy the order, would comply with conditions of a less drastic character which would still attain the desired object. It is understood that the remarks of the Council have special reference to orders under section 4 which it has been found necessary to issue in Bombay City. In this connection, I am to inform the Council that it is the practice to issue such orders only after the authorities have fully satisfied themselves by discussion with the persons concerned that they will not observe conditions of a less drastic nature and after they have declined to give satisfactory undertakings that they will cease to participate in the civil disobedience movement. I am also to say that orders of this kind are imposed, not with any desire or intention of causing humiliation, but with the practical object of preventing unlawful activities; it has been found from experience that, in the absence of strict orders, persons who are determined to further the objects of the movement have, in some cases, been able to do so for some days before effective action could be taken against them. Orders of this kind, however, are not given when a satisfactory alternative is possible.

(c) In regard to the criticisms of the scope of section 5 of the Emergency Powers Ordinance, I am to say that instructions were issued some time ago which will ensure that the powers will not be used except for the specific purposes stated in the section.

Boycott and Swadeshi

3. In the last paragraph of the representation, the attention of Government is invited to the operation of the Criminal Law Amendment Act of 1908, consequent on the declaration of certain associations as unlawful, in so far as it affects certain activities and, in particular, the advocacy of the use of Indian goods. The Council urged that Government should make a clear declaration of policy that they do not propose to proceed against, or punish, any individual or association that may be engaged in such activities. In this connection, I am to refer you to the following extract from paragraph 6 of the Statement issued by the Governor-General-in-Council on the 5th of March, 1931:

'The position of Government is as follows. They approve of the encouragement of Indian industries as part of the economic and industrial movement designed to improve the material condition of India, and they have no desire to discourage methods of propaganda, pursuation or advertisement pursued with this object in view, which do not interfere with the freedom of action of individuals, or are not prejudicial to the main-

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*The following are extracts from a circular issued by the Karnatak Provincial Congress Committee, dated 19th January, 1932:—

It is likely that as soon as the workers are released they will be served with some order asking them not to help the Civil Disobedience Movement and also to report themselves to the Police Sub-Inspector once or twice a day.

5. If the order asks us to report ourselves at the police station, it is impossible to tolerate it. We must ignore it and immediately go on with our work in the villages, especially we must meet the organisers in the various centres and develop plans for the future.

6. But if the order simply asks us not to help the Civil Disobedience Movement we need not express disobedience by an open action immediately like holding a public meeting and calling upon people to join Civil Disobedience, etc. We must not be trapped thus by enemies. But our duty in that case will be to organise our forces, strengthen our finance, etc.

(1) Each worker should visit the active centres in his taluka or district.
(2) Should call together the workers in these centres and organise the further programme of work both by way of Civil Disobedience and Boycott of British Goods and foreign cloth.
(3) Should devise measures for adequate finance.

7. We must bear in mind that we must strain every nerve to keep the organisation going on and give an organised and determined fight to the enemy on every front.

tenance of law and order. But the boycott of non-Indian goods (except of cloth which has been applied to all foreign cloth) has been directed during the civil disobedience movement chiefly, if not exclusively, against British goods, and in regard to these it has been admittedly employed in order to exert pressure for political ends.'

Government have abundant evidence that those responsible for the present civil disobedience movement are pursuing the same policy as in 1930, and further, that the boycott of British Goods is being used not only as a political weapon, but as part of a general policy to cripple financially the Government of India and Great Britain. It is, in fact, an outstanding feature of a movement which is designed to subvert Government and which is prejudicial in the highest degree to the maintenance of law and order. As such, it is essentially different in purpose and principle both from the campaign in England in favour of British goods and from a genuine economic and industrial movement in India in favour of Indian industries pursued by constitutional means. As your Council will no doubt recognise, these facts definitely preclude a declaration of policy which would in any way lend itself to the suggestion that activities carried on in furtherance of the civil disobedience movement can be regarded as legitimate.

Not Penalising Swadeshi

At the same time, it is not the wish of the Government of India that activities should be penalised which are pursued, not in furtherance of the civil disobedience movement, but in promotion of Indian industries and by constitutional means, and they desire that this principle should be observed in the administration of the Ordinances and other provisions of the law. In this connection, they are advised that the Criminal Law Amendment Act of 1908 does not operate to produce the results which your Council apprehend. In order to constitute an offence under section 17 (1) of that Act, in so far as that section relates to assisting the operations of an unlawful association, it is necessary to satisfy the Court that

(a) the accused has so acted as to assist the operations of an unlawful association, and

(b) that, if the actual intention is not proved, the evidence is sufficient to justify the inference that it was the intention of the accused to assist the operations of the unlawful association.

These conditions afford protection to law-abiding citizens who *ex hypothesi* have no desire or intention to assist the operations of an association that has been declared unlawful."

SPECIAL POWERS EMERGENCY ACT, 1932

FUTURE OF THE ORDINANCES

The four Ordinances, namely the Emergency Powers Ordinance, the Unlawful Instigation Ordinance, the Unlawful Association Ordinance and the Prevention of Molestation and Boycotting Ordinance, promulgated on January 4, 1932, continued to operate during the quarter ending June, 1932. Besides arresting and prosecuting persons charged with offences under the above Ordinances, detaining suspected persons, controlling posts, telegraphs and declaring many associations unlawful, restraint orders were issued on many prominent persons prohibiting them from taking part in the organisation of or participating in any picketing, boycott, hartal, or public meeting or labourers' meeting, from speaking in any such meeting or in any public places or in a place where 5 or more persons have collected. They were also ordered not to themselves act, nor encourage, nor assist any other person in any way to act in a manner prejudicial to the public safety or peace, nor take part in or organise any meeting directly or indirectly against the non-payment of rent to zemindars or dues to 'mahajans' nor do anything in support of these agitations; nor take part in any procession or hoist any Swaraj Flag and help any one do it; nor encourage any other anti-Government activities. They were directed to exert their influence to combat the Civil Disobedience movement, no-rent campaign and the agitation about non-payment of dues to 'mahajans'. Collective fines were also imposed on the inhabitants of some villages appearing to be concerned in the commission of offences and other acts which are prejudicial to the maintenance of law and order and to harbour persons concerned in the commission of such offences and acts; punitive police was posted in some

villages while buildings were taken possession of for the accommodation of troops or police; assistance of certain persons was required to assist in the maintenance of law and order; guardians were directed to pay fine for offences committed by their wards; properties were attached for non-payment of fines and land revenue, and funds of unlawful associations forfeited; meetings were banned and processionists dispersed; etc., etc.

The expiration of the Ordinances on July 3 next gave an opportunity to the Government of India to reconsider the whole situation. There was a growing opinion not only among Nationalists but all Indians that the Ordinances had failed in their purpose. The Liberals impressed upon the Government that continued administration by executive laws was a negation of justice and would inevitably deepen popular discontent. They feared that the enactment of Ordinances was calculated to indefinitely prolong the present stalemate and also explained that with ordinary law, including the Criminal Law Amendment Act and section 144 of the Criminal Procedure Code, the Government could do whatever it liked by way of dealing with such parts, as the Congress movement, as they might consider undesirable. The Independent Labour Party in London also advocated the principle of conciliation with the Congress. It was thought that if Mr. Gandhi remained in prison and Government continued to apply generally ordinances, which were only justified in a few districts, the constitution would be a waste paper. Repression was considered to have rendered futile any attempt to endow India with self-government on a professedly democratic basis. But the Secretary of State thought that there would be on July 3 an emergency sufficiently grave to necessitate the exercise of the special powers and he felt that in the interest of law and order the Ordinances should be continued.

NEW CONSOLIDATED ORDINANCE

The Special Powers Ordinance, 1932 was consequently promulgated on June 30 including most of the powers contained in the four Ordinances now in force. Certain powers contained in the Emergency Powers Ordinance II of 1932 are not however found in the present Ordinance. These are the wide powers to control the supply of commodities of general use (Section 8 of the Emergency Powers Ordinance); the power to take possession of movables (Section 9 of the Emergency Powers Ordinance); the power to employ additional police (Section 12 of the Emergency Powers Ordinance) and the power to control public utility services (Section 14 of the Emergency Powers Ordinance). There have been slight modifications in one or two other sections.

No additional power has been taken except that contained in the last section of the Ordinance which validates the continuance of action or orders taken under the existing ordinances. It also provides for the continuance of trials and for the prosecution for offences committed under the existing Ordinances but not yet brought to trial.

SCHEME OF THE ORDINANCE

Under the scheme of the Ordinance certain powers are brought into force at once throughout British India. These are powers which have All-India force under the existing Ordinances. The most important of these is the provision which amends the Press Act. All or any of the remaining powers can be extended by the Government of India to any province or part of a province, but they do not come into force until the Local Government issues a notification to this effect. The Local Government need not bring a particular power into force over the whole of a province even though it has been extended to the whole of the province by the Government of India. It can apply it to such areas within the province which it thinks necessary

and in fact this is the policy which Local Governments are pursuing. The extent of the operations of particular powers must therefore be judged not by the notification of the Government of India but by the notifications of the Local Government specifying the areas in which particular powers will be operative.

POSITION IN THE PROVINCES.

It is understood that as compared with the position under the existing Ordinances, the areas in which particular powers are operative will be considerably restricted. Some Local Governments have been able not only to narrow the area within which powers will apply but also to do without powers which they now possess. The fact that Local Governments have not taken powers they previously possessed or that they have not applied previous powers to areas in which they were in force will not however preclude necessary action being taken if the relaxation of powers should lead to a recrudescence of unlawful activities in any area.

The restricted extent to which powers given by the new Ordinance will apply is illustrated by a few examples. **First,** except for the provisions which are of All-India application, the following portions of British India will be entirely free from the application of any powers contained in the Ordinance:—(a) 4 out of 5 districts of the North-West Frontier Province, (b) 17 out of 29 districts of the Punjab including the whole of the Multan and Rawalpindi divisions with the exception of two districts, (c) 26 out of 48 districts of the United Provinces, (d) 11 districts of Bengal, (e) 10 out of 22 districts of the Central Provinces, (f) 6 out of 14 districts of Assam. It will thus be seen that in Northern India considerably more than one half of the North-West Frontier Province, the Punjab and the United Provinces will now be free from Ordinances and they will remain free unless the people themselves make it necessary to apply particular provisions of the Ordinance. Similarly almost half of the Central Provinces will be free.

Secondly, apart from the areas above mentioned, the whole of Madras, Assam, the Central Provinces and Ajmer-Merwara will be without the powers corresponding to the Emergency Powers Ordinance.

Thirdly, the powers corresponding to the Unlawful Instigation Ordinances which provides against a no-rent or no-revenue campaign will be of very limited application so far as areas are concerned They will, in fact, be restricted to 21 districts of the United Provinces, one district of the Bombay Presidency and one small area in Ajmer-Merwara.

Fourthly, there are many instances in which local Governments, while finding it necessary to retain certain powers, have been able to abandon others or have been able to dispense with their operation in particular districts. The Central Provinces, for instance, are not re-applying the powers of the Prevention of Molestation and Boycotting Ordinance in six districts where they are now in force or the powers corresponding to the Unlawful Association Ordinance in four districts where they are now in force. The Delhi Administration has been able to dispense with a number of powers corresponding to powers under the Emergency Powers Ordinance which they now possess. Madras is dispensing with the powers of the Unlawful Instigation Ordinance which are now in force in three districts. Bombay is not applying the powers relating to Molestation and Boycott in 20 districts. Bengal is dispensing with all their present powers in 10 districts, the United Provinces in 26 districts and the Punjab in 17 districts. Bihar and Orissa are doing without certain powers in 5 districts. Assam is withdrawing powers under the Prevention of Molestation and Boycotting Ordinance from six districts and the North-West Frontier Province Government are

withdrawing all powers from the whole of the province except the Peshawar District.

TEXT OF THE ACT

The full text of the Act follows:—

Whereas an emergency has arisen which makes it necessary to confer special powers upon Government and its officers for the purpose of maintaining law and order:

Now, therefore, in exercise of the power conferred by section 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Ordinance may be called the Special Powers Ordinance, 1932.

(2) This Chapter and Sections 64, 74, 75, 76, 77, 78, 79 and 80 extend to the whole of British India, including British Baluchistan and the Sonthal Parganas, and the Governor-General in Council may by notification in the "Gazette of India," extend any or all of the remaining sections to the said area or to any province or part of a province specified in the notification.

(3) This Chapter and sections 64, 74, 75, 76, 77, 78, 79 and 80 shall come into force at once, and the Local Government may, by notification in the local official Gazette, direct that any or all of the remaining provisions shall come into force in any area to which they have been extended, on such date as may be appointed in the notification.

2. Definitions.—In this Ordinance, unless there is anything repugnant in the subject or context—(1) "the Code" means the Code of Criminal Procedure, 1898; and (2) "District Magistrate" means, in the case of a Presidency-town or the town of Rangoon, the Commissioner of Police, except in Chapters IV and VI where, in the case of a Presidency-town, it means the Chief Presidency Magistrate.

CHAPTER II

EMERGENCY POWERS

3 Power to arrest and detain suspected persons.—(1) Any officer of Government authorised in this behalf by general or special order of the Local Government may, if satisfied that there are reasonable grounds for believing that any person has acted, is acting, or is about to act, in a manner prejudicial to the public safety or peace, himself arrest such person without warrant, or may direct the arrest without warrant of such person, and in making such arrest any means that may be necessary may be used.

(2) An arrest made by or on the direction of any officer under this section shall be reported forthwith to the Local Government by the officer so making or so directing the arrest, as the case may be, and such officer may, by order in writing, commit any person so arrested to such custody as the Local Government may, by general or special order, specify in this behalf:

Provided that no person shall, unless the Local Government by special order otherwise directs, be so detained in custody for a period exceeding fifteen days:

Provided further that no person shall be so detained in custody for a period exceeding two months.

4. Power to control suspected persons.—(1) The Local Government, if satisfied that there are reasonable grounds for believing that any person has acted, is acting, or is about to act in a manner prejudicial to the public safety or peace or in furtherance of a movement prejudicial to the public safety or peace, may, by order in writing, give any one or more of the following directions, namely, that such person (a) shall not enter, reside or remain in any area specified in the order; (b) shall reside or remain in any area specified in the order; (c) shall remove himself from, and shall not return to any area specified in the order; (d) shall conduct himself in such manner, abstain from such acts, or take such order with any property in his possession or under his control, as may be specified in the order.

(2) An order made under sub-section (1) shall not, unless the Local Government by special order otherwise directs, remain in force for more than one month from the making thereof.

(3) An order made under sub-section (1) shall be served on the person to whom it relates in the manner provided in the Code for service of a summons.

5. Power to take possession of building.—(1) If, in the opinion of the Local Government, any land or building can be utilised as quarters or offices for public servants, or for the accommodation of troops or police, the Local Government may, by order in writing, require the occupier or other person in charge of the land or building to place it at the disposal of Government at such time as may be specified in the order, together

with the whole, or any part specified in the order, of any fixtures, fittings, furniture or other things for the time being in the building; and the Local Government may dispose of or use such land, building, fixtures, fittings, furniture or other things in such manner as it may consider expedient.

(2) In this section "building" includes any portion or portions of a building whether separately occupied or not.

6. Power to prohibit or limit access to certain places.—The District Magistrate may, by order in writing, prohibit or limit, in such a way as he may think necessary for the public advantage, access to any building or place in the possession or under the control of Government or of any railway administration or local authority or to any building or place in the occupation, whether permanent or otherwise, of His Majesty's Naval, Military or Air Forces or of any police force or to any place in the vicinity of any such building or place.

7. Power to prohibit or regulate traffic.—The District Magistrate may by order in writing, prohibit or regulate, in such a way as he may think necessary for the public advantage, traffic over any road, pathway, bridge, waterway or ferry.

8. Power to regulate means of transport.—(1) The District Magistrate may by order in writing, require any person to make, in such form and within such time and to such authority as may be specified in the order, a return of any vehicles or means of transport owned by him or in his possession or under his control.

(2) The District Magistrate, if, in his opinion, it is necessary for the public advantage, may, by order in writing, require any person owing or having in his possession or under his control any vehicle or means of transport to take such order therewith for such period as may be specified in the order.

9. Powers regarding arms, ammunition, etc.—(1) The District Magistrate may, by order in writing, publish in such manner as he thinks best adapted for informing the persons concerned, (a) prohibit, either absolutely or subject to such exception as may be specified in the order, the purchase, sale or delivery of, or other dealing in any arms, parts of arms, ammunition or explosive substances; or (b) direct that any person owning or having in his possession or under his control any arms, parts of arms, ammunition or explosive substances, shall keep the same in a secure place approved by the District Magistrate or remove them to any place specified in the order.

(2) The District Magistrate may take possession of (a) any arms, ammunition or explosives, or (b) any tools, machinery, implements or other material of any kind, likely in his opinion, to be utilised, whether by the owner or by any other person, for the purpose of causing unlawful hurt or damage to any person or to any property of Government or of any railway administration or of any local authority, and may make such orders as he may think fit for the custody and disposal thereof.

10. Power to require the assistance of certain persons.—Any officer of Government authorised in this behalf by general or special order of the Local Government may, within any area specified in such order, require any landholder, village headman, lambardar, inamdar or jagirdar, or any officer or servant of any local authority, or any teacher in any school, college or other educational institution, to assist in the restoration and maintenance of law and order and in the protection of property in the possession or under the control of Government or of any railway administration or local authority in such manner and within such limits as the officer so authorised may specify.

11. Power to control posts and telegraphs.—The District Magistrate, if, in his opinion, it is necessary for the public advantage, may, in consultation with the chief postal authority in the district, control the operation of any posts, telegraph, telephone or wireless office or station, and, in particular, may intercept any postal article or telegraphic, telephonic or wireless message in the course of transmission, may ascertain its contents and may prohibit its further transmission.

12. Power to regulate the use of railways and vessels—The District Magistrate may (a) require accommodation to be provided on any railway train or any vessel for any passenger or goods, and, for this purpose, exclude from such train or vessel any passengers or goods which it is already carrying or about to carry; (b) require that any specified persons or classes of persons or persons proposing to travel to specified destinations, or any specified goods or classes of goods or goods consigned to specified destinations, shall not be carried on any railway or vessel; (c) exclude or eject any passenger from any train or vessel; (d) stop, or prohibit the stopping of trains or vessels at any station; or (e) in consultation with the local railway authorities, require special trains to be provided for the conveyance of troops, police or other persons.

13. Power to secure reports of public meetings.—The District Magistrate may, be order in writing, depute one or more police officers, not below the rank of head constable, or other persons, to attend any public meeting for the purpose of causing a report to be made of the proceedings, and may, by such order, authorise the persons so deputed to take with them an escort of police officers.

Explanation.—For the purposes of this section a public meeting is any meeting which is open to the public or to any class or portion of the public, and a meeting may

be a public meeting notwithstanding that it is held in a private place and notwithstanding that admission thereto is restricted by ticket or otherwise.

14. Power to issue search warrants.—The power to issue search-warrants conferred by section 98 of the Code shall be deemed to include a power to issue warrants authorising (a) the search of any place in which any Magistrate mentioned in that section has reason to believe that any offence under this Ordinance or any act prejudicial to the public safety or peace has been, is being or is about to be committed, or that preparation for the commission of any such offence or act is being made; (b) the seizure in or on any place searched under clause (a) of anything which the officer executing the warrant has reason to believe is being used, or is intended to be used, for any purpose mentioned in that clause; and the provisions of the Code shall, so far as may be, apply to searches made under the authority of any warrant issued, and to the disposal of any property seized, under this section.

15. General power of search.—Any authority on which any power is conferred by or under this Chapter may, by general or special order, authorise any person to enter and search any place, search of which such authority has reason to believe to be necessary for the purpose of (a) ascertaining whether it is necessary or expedient to exercise such power; or (b) ascertaining whether any order given, direction made, or condition prescribed in the exercise of such power has been duly complied with; or (c) generally, giving effect to such power or securing compliance with, or giving effect to, any order given, direction made or condition prescribed in the exercise of such power.

16. Power to give effect to orders if disobeyed.—If any person disobeys or neglects to comply with an order made, direction given, or condition prescribed, in accordance with the provisions of this Chapter, the authority which made the order, gave the direction or prescribed the condition may take or cause to be taken such action as it thinks necessary to give effect thereto.

17. Penalty for disobeying order under section 4.—Whoever disobeys or neglects to comply with any order made or direction given in accordance with the provisions of section 4 shall be punishable with imprisonment which may extent to two years; or with fine, or with both.

18. Penalty for disobeying other orders under this Chapter.—Subject to the provisions of section 17, whoever disobeys or neglects to comply with any order made, direction given, or condition prescribed in accordance with the provisions of this Chapter or impedes the lawful exercise of any power referred to in this Chapter shall be punishable with imprisonment which may extend to six months; or with fine, or with both.

19. Claims for compensation.—(1) Any person who has suffered any direct loss or damage by reason of action taken under section 5 or sub-section (2) of section 9 may, within two months from the date on which the action was taken, lodge a claim for compensation with the Local Government, or with such officer as the Local Government may appoint in this behalf.

(2) No claim for compensation may be lodged for loss or damage caused in any case where action has been taken under section 16.

(3) Any claim lodged under sub-section (1) may be investigated by such officer as the Local Government may appoint in this behalf and any amount which may be agreed upon between the Local Government and the claimant shall be paid to him. If the amount is not agreed upon, the claim shall be decided by an Arbitration Tribunal in the manner hereinafter provided.

20. Constitution for Arbitration Tribunals. (1) The Local Government may constitute an Arbitration Tribunal for the trial of any particular claim or claims or of claims of a specified kind, or of claims arising within a specified area for which provision is not otherwise made.

(2) An Arbitration Tribunal shall consist of three persons who are—(a) Commissioners: or (b) persons who have presided in a Civil Court of any grade for not less than five years; or (c) persons who are qualified under sub-section (3) of section 101 of the Government of India Act for appointment as Judges of a High Court; or (d) persons who have exercised powers of a Magistrate of the first class for not less than five years; or (e) persons having special knowledge of matters such as those which may be in dispute.

(3) The Local Government shall appoint one of the members to be President of the Tribunal.

(4) If for any reason any member of an Arbitration Tribunal is unable to discharge his duties, the Local Government shall appoint another member in his place, and on any such change occurring it shall not be incumbent on the Tribunal to re-call or re-hear any witness who has already given evidence in regard to any claim before it, and the Tribunal may act on any evidence already recorded by or produced before it.

21. Procedure of Arbitration Tribunals.—(1) Arbitration Tribunals may take evidence on oath (which such Tribunals are hereby empowered to administer) and shall have such powers to enforce the attendance of witnesses and the production of evidence as a Civil Court has under the Code of Civil Procedure, 1908.

(2) In the event of any difference of opinion among the members of an Arbitration Tribunal, the opinion of the majority shall prevail.

(3) Subject to any rules which the Local Government may make in this behalf, the President of an Arbitration Tribunal may make orders consistent with this Chapter to provide for the place and conduct of a trial and all other ancillary matters which he may think necessary for carrying into effect the provisions of this Chapter.

22. Delegation of powers.—(1) The Local Government may invest the District Magistrate with the powers of the Local Government under sub-section (1) of Section 4, and may invest the District Magistrate or any Subdivisional Magistrate, or any police officer not below the rank of Deputy Superintendent, with any of the powers of the Local Government under Section 5.

(2) The Local Government may invest any Subdivisional Magistrate, or any police officer not below the rank of Deputy Superintendent, with any of the powers of a District Magistrate under this Chapter.

(3) The District Magistrate may, by order in writing, authorise any officer to exercise any of the powers of the District Magistrate under this Chapter in a specified area or in connection with a specified emergency.

23. Reserve power to Governor-General in Council.—The Governor-General in Council may exercise any of the powers of a Local Government under this chapter.

CHAPTER III

OFFENCES AND PENALTIES

24. Tampering with public servants.—Whoever induces or attempts to induce any public servant or any servant of a local authority or any railway servant to disregard or fail in his duty as such servant shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

25. Dissuasion from enlistment.—Whoever dissuades or attempts to dissuade any person from entering the military or police service of His Majesty shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

26. Dissemination of false rumours.—Whoever by words, whether spoken or written, by signs or by visible or audible representations or otherwise publishes any statement, rumour of report which is false and which he has no reasonable ground to believe to be true, with intent to cause or which is likely to cause fear or alarm to the public or to any section of the public, or hatred or contempt towards any public servant, or any class of His Majesty's subjects, shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

27. Imposition of collective fine on inhabitants of turbulent areas.—(1) Where it appears to the Local Government that the inhabitants of any area are concerned in the commission of offences or other acts which are prejudicial to the maintenance of law and order or to the public revenues, or are harbouring persons concerned in the commission of such offences or acts, the Local Government may, by notification in the local official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Local Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

(5) The Local Government may award compensation out of the proceeds of a fine realised under this section to any person who, in the opinion of the Local Government, has suffered injury to person or property by the unlawful acts of the inhabitants of the area.

Explanation.—For the purposes of this section, the "inhabitants" of an area includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area notwithstanding that they do not actually reside therein.

28. Dissemination of contents of proscribed documents.—Whoever publishes, circulates or repeats in public any passage from a newspaper, book or other document, copies whereof have been declared to be forfeited to His Majesty under any other law for the time being in force, shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

29. Power to direct payment by parent or guardian of fine imposed on a young person.—(1) Where any young person under the age of sixteen years is convicted by any Court of an offence under this Ordinance or of an offence which in the opinion of the Court has been committed in furtherance of a movement prejudicial to the public safety or peace, and such young person is sentenced to fine, the Court may order that the fine

shall be paid by the parent or guardian of such young person as if it had been a fine imposed upon the parent or guardian:

Provided that no such order shall be made unless the parent or guardian has had an opportunity to appear before the Court and be heard.

(2) In any such case the Court may direct by its order that in default of payment of the fine by the parent or guardian, the parent or guardian shall suffer imprisonment as if the parent or guardian had himself been convicted of the offence for which the young person is convicted.

CHAPTER IV

SPECIAL CRIMINAL COURTS

30. Special Courts.—Courts of criminal jurisdiction may be constituted under this Ordinance of the following classes, namely:—

(i) Special Judges; (ii) Special Magistrates; (iii) Summary Courts.

31. Special Judges.—The Local Government may appoint to be a Special Judge for such area as it may think fit any officer who has acted for a period of not less than two years in the exercise of the powers of a Sessions Judge under the Code.

32. Jurisdiction of Special Judges.—Subject to the provisions of section 48, a Special Judge shall try such offences as the Local Government, or an officer empowered by the Local Government in this behalf, may, by general or special order in writing, direct.

33. Procedure of Special Judges.—(1) A Special Judge may take cognisance of offences without the accused being committed to his Court for trial, and, in trying accused persons, shall follow the procedure prescribed by the Code for the trial of warrant cases by Magistrates:

Provided that a Special Judge may make a memorandum only of the substance of the evidence of each witness examined, and shall not be bound to adjourn any trial for any purpose unless such adjournment is, in his opinion, necessary in the interests of justice.

(2) In matters not coming within the scope of sub-section (1), the provisions of the Code, so far as they are not inconsistent with this Ordinance, shall apply to the proceedings of a Special Judge; and for the purposes of the said provisions, the Court of the Special Judge small be deemed to be a Court of Session.

34. Sentences by Special Judges.—A Special Judge may pass any sentence authorised by law.

35. Appeals and confirmation.—(1) An appeal shall lie in the case of any sentence passed by a Special Judge of death or of transportation or imprisonment for a term of two years or more, and the provisions of the Code and of the Indian Limitation Act, 1908, shall apply in respect of such appeal as if it were an appeal under the Code from a sentence passed by a Court of Session exercising jurisdiction in the area in which the offence was committed.

(2) A sentence of death passed by a Special Judge shall be subject to confirmation in the manner provided in the Code for the confirmation of a sentence of death passed by a Court of Session.

36. Special Magistrates.—Any Presidency Magistrate or Magistrate of the first class who has exercised powers as such for a period of not less than two years may be invested by the Local Government with the powers of a Special Magistrate under this Ordinance.

37. Jurisdiction of Special Magistrates.—Subject to the provisions of section 48, a Special Magistrate shall try such offences, other than offences punishable with death, as the Local Government or an officer empowered by the Local Government in this behalf may, by general or special order in writing, direct.

38. Procedure of Special Magistrates.—(1) In the trial of any case, a Special Magistrate shall follow the procedure laid down in sub-section (1) of section 33 for the trial of cases by a Special Judge.

(2) In matters not coming within the scope of sub-section (1), the provisions of the Code, so far as they are not inconsistent with this Ordinance, shall apply to the proceedings of a Special Magistrate; and for the purposes of the said provisions the Special Magistrate shall be deemed to be a Magistrate of the first class.

39. Sentences by Special Magistrates.—A Special Magistrate may pass any sentence authorised by law, except a sentence of death or of transportation or imprisonment exceeding seven years.

40. Appeals.—(1) Where a Special Magistrate passes a sentence of transportation or imprisonment for a term exceeding one year, or of fine exceeding one thousand rupees, an appeal shall lie, where the case was tried in a presidency-town, to the High Court, and where the case was tried outside the presidency town, to the Court of Session. unless the Special Magistrate passes a sentence of transportation exceeding one year or a sentence of imprisonment exceeding four years, in which case the appeal shall lie to the High Court.

(2) An appeal under sub-section (1) shall be presented within seven days from the date of the sentence.

41. Distribution of cases.—If any question arises whether, under any order made under section 32 or section 37 an offence is triable by a Special Judge or a Special Magistrate, the question shall be referred for decision to the local Government, and its decision shall be final.

42. Summary Courts.—The Local Government may, by general or special order in writing empower any Magistrate appointed under the provisions of the Code to exercise the powers of a Summary Court in any area specified in the order.

43. Jurisdiction of Summary Courts.—(1) Subject to the provisions of section 48, a Summary Court shall have power to try such offences as the District Magistrate may, by general or special order, direct:

Provided that no person shall be tried by a Summary Court for an offence not specified in sub-section (1) of section 260 of the Code which is punishable with imprisonment for a term exceeding two years.

(2) The District Magistrate may, by general or special order, give directions as to the distribution among the Summary Courts in his district of cases triable by them under sub-section (1).

44. Procedure of Summary Courts.—In the trial of any case a Summary Court shall, as far as possible, follow the procedure laid down in the Code for the trial of warrant cases, and shall have all the powers conferred by the Code on a Magistrate:

Provided that the Court shall not be required to record more than a memorandum of the evidence or to frame a formal charge:

Provided further that in the trial of any offence punishable with imprisonment for a term not exceeding one year, the Court may follow the procedure for the summary trial of cases in which an appeal lies as laid down in Chapter XXII of the Code.

45. Sentences by Summary Courts.—Summary Courts may pass any sentence which may be passed by a Magistrate of the first class.

46. Appeals.—(1) If a Summary Court, in a case tried according to the procedure for the trial of warrant cases, passes a sentence of imprisonment for a term exceeding three months or a fine exceeding two hundred rupees, or, in a case tried by summary procedure, passes a sentence of imprisonment for a term exceeding one month or a fine exceeding fifty rupees, an appeal shall lie to the Special Judge appointed for the area in which the offence was committed, or, if no Special Judge has been so appointed, to the High Court or to the Court of Session according as the offence was tried in a Presidency-town or was tried outside the Presidency-towns.

(2) An appeal under sub-section (1) shall be presented within seven days from the date of the sentence.

(3) In disposing of an appeal under this section, a Special Judge shall follow the same procedure and have the same powers as an Appellate Court follows and has under the Code.

47. Procedure when Summary Court considers case triable by another Court.—(1) If a Summary Court is of opinion that the offence disclosed is one which it is not empowered to try, it shall send the case for trial to the Special Judge or Special Magistrate empowered to try the case under this Ordinance or, if no such Court has been so empowered, to an ordinary criminal court having jurisdiction.

(2) If a Summary Court is of opinion that an offence which it is empowered to try should be tried by a Court of superior jurisdiction or that it requires a punishment in excess of that which the Summary Court is empowered to inflict, it shall stay proceedings and report the case to the District Magistrate who may (a) direct that the case shall be tried by a Summary Court, or (b) send it to a Court constituted under this Ordinance having jurisdiction, or to an ordinary criminal court having jurisdiction, or (c) report it for the orders of the Local Government.

48. Limitation of jurisdiction of Special Courts.—(1) No Court constituted under this Ordinance shall try any offence unless it is an offence punishable under this Ordinance or was committed in furtherance of a movement prejudicial to the public safety or peace.

(2) The question whether or not an offence tried by a Court constituted under this Ordinance is of the nature described in sub-section (1) shall not be raised in any Court other than the Court trying the offence, and where such question is so raised then, if the Court is that of a Special Judge, the question shall be referred to the Local Government, and if the Court is that of a Special Magistrate or is a Summary Court, the question shall be referred to the District Magistrate, and the decision of the Local Government or the District Magistrate shall be final.

49. Powers of Special Courts to deal with refractory accused.—(1) Where any accused, in a trial before a Court constituted under this Ordinance has, by his voluntary act, rendered himself incapable of appearing before the Court, or resists his production before it, or behaves before it in a persistently disorderly manner, the Court may, at any stage of the trial, by order in writing made after such inquiry as it may think fit, dis-

pense with the attendance of such accused for such period as it may think fit, and proceed with the trial in his absence.

(2) Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with under sub-section (1), such accused shall be deemed not to plead guilty.

(3) An order under sub-section (1) dispensing with the attendance of an accused shall not affect his right of being represented by a pleader at any stage of the trial, or of being present in person if he has become capable of appearing, or appears in Court and undertakes to behave in an orderly manner.

(4) Notwithstanding anything contained in the Code, no finding, sentence or order passed in a trial before a Court constituted under this Ordinance shall be held to be illegal by reason of any omission or irregularity whatsoever arising from the absence of any or all of the accused whose attendance has been dispensed with under sub-section (1).

50. Special rule of evidence.—Notwithstanding anything contained in the Indian Evidence Act, 1872, when the statement of any person has been recorded by any Magistrate, such statement may be admitted in evidence in any trial before a Court constituted under this Ordinance if such person is dead or cannot be found or is incapable of giving evidence, and the Court is of opinion that such death, disappearance or incapacity has been caused in the interests of the accused.

51. Legal practitioners.—A Court constituted under this Ordinance shall not be required to grant an adjournment for the purpose of securing the attendance of a legal practitioner if, in the opinion of the Court, such adjournment would cause unreasonable delay in the disposal of the case.

52. Extension of interference of other Courts.—Notwithstanding the provisions of the Code, or of any other law for the time being in force or of anything having the force of law whatsoever authority made or done, there shall, save as provided by this Ordinance, be no appeal from any order or sentence of a Court constituted under this Ordinance and, save as aforesaid, no Court shall have authority to revise such order or sentence, or to transfer any case from any such Court or to make any order under section 491 of the Code or have any jurisdiction of any kind in respect of any proceedings of any such Court.

53. Application of ordinary law.—The provisions of the Code and of any other law for the time being in force, in so far as they may be applicable and in so far as they are not inconsistent with the provisions of this Ordinance shall apply to all matters connected with, arising from or consequent upon a trial by special criminal courts constituted under this Ordinance.

CHAPTER V.

REFUSAL OF THE PAYMENT OF CERTAIN LIABILITIES

54. Power to declare notified areas and notified liabilities.—(1) The Local Government may, by notification in the local official Gazette, declare that any part of the province or the whole province shall be a notified area for the purpose of this Chapter.

(2) Such Local Government may further, by the same or by subsequent notification, declare that in such notified area land-revenue or any sum recoverable as arrears of land-revenue, or any tax, rate, cess or other due or amount payable to Government or to any local authority, or rent of agricultural land, or anything recoverable as arrears of or along with such rent of agricultural land, or anything recoverable as arrears of or along with such rent, shall be a notified liability.

55. Punishment for unlawful instigation to the non-payment of notified liability.—Whoever by words, either spoken or written, or by signs, or by visible representations, or otherwise, instigates, expressly or by implication, any person or class of persons not to pay or to defer payment of any notified liability, and whoever does any act, with intent or knowing it to be likely that any words, signs or visible representations containing such instigation shall thereby be communicated directly or indirectly to any person or class of persons, in any manner whatsoever, shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

56. Special rule of procedure.—No Court shall take cognisance of any offence punishable under this Chapter except upon a report in writing of facts which constitute such offence made by a police officer not below the rank of sub-inspector.

57. Power to collect an arrear of a notified liability as an arrear of land-revenue.—(1) Any person to whom an arrear of a notified liability is due may apply in writing to the Collector to realise it, and the Collector may, after satisfying himself that the amount claimed is due, proceed to recover it as an arrear of land-revenue in accordance with the law applicable to the recovery of arrears of land-revenue in the area concerned.

(2) Nothing in this section shall prevent any person to whom an arrear of a notified liability is due from recovering it in accordance with the law applicable to the recovery of such arrear.

70. Punishment for boycotting of a public servant.—Whoever boycotts or abets the boycotting of a public servant, or threatens a public servant with boycotting, shall be punishable with imprisonment which may extend to six months, or with fine, or with both: Provided that no person shall be convicted under this section if the Court is satisfied that his acts were not intended to prejudice the public servant boycotted, or proposed or threatened to be boycotted, in the discharge of the duties of his office or to cause such public servant to terminate or withhold his services in the discharge of such duties or to commit a breach of discipline.

71. Special rules of procedure.—(1) An offence punishable under section 70 shall be non-cognisable and bailable, and, notwithstanding anything contained in the Second Schedule to the Code, a case relating to such an offence shall, for the purposes of section 204 of the Code, be deemed to be one in which a warrant should issue in the first instance.

(2) Where information is given to the officer in charge of a police station of the commission within the limits of such station of an offence punishable under section 70, he shall deal with it in the manner provided in section 154 of the Code, and he shall investigate the case as if he had received an order to that effect from a competent Magistrate.

72. Punishment for participating in a mock funeral ceremony.—Whoever with intent to annoy any person, or with the knowledge that annoyance is likely to be caused to any person, performs or takes part in or abets the performance of any mock ceremony resembling any ceremony associated with or consequent upon death shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

73. Jurisdiction.—No Court other than a Court of a Presidency Magistrate or Magistrate of the first class or of a Special Judge or Special Magistrate constituted under this Ordinance shall take cognisance of or try any offence under this Chapter.

CHAPTER VIII

SUPPLEMENTAL

74. Offences under the Ordinance to be cognisable and non-bailable.—Notwithstanding anything contained in the Code, any offence punishable under this Ordinance shall, save as otherwise specially provided in this Ordinance, be cognisable and non-bailable.

75. All offences under Act XIV of 1908 to be cognisable and non-bailable.—Notwithstanding anything contained in the Code, all offences punishable under sub-section (1) of section 17 of the Indian Criminal Law Amendment Act, 1908, shall be cognisable and non-bailable.

76. Certain other offences to be cognisable and non-bailable.—(1) The Local Government may, by notification in the local official Gazette, declare that any offence, punishable under Section 160, 186, 187, 188, 189, 190, 227, 228, 295-A, 298, 505, 506, 507 or 508 of the Indian Penal Code, when committed in any area specified in the notification, shall, notwithstanding anything contained in the Code, be cognisable and non-bailable, and thereupon the Code shall, while such notification remains in force, be deemed to be amended accordingly.

(2) Notwithstanding anything contained in section 195 or section 196 of the Code, in any area in which a notification under sub-section (1) in respect of section 186, 187, 188, 228, 295-A or 505 of the Indian Penal Code is in force, any Court otherwise competent to take cognisance of such offence may take cognisance of such offence upon a report in writing of facts constituting such offence made by any police officer, but shall not proceed with the trial unless it has received a complaint in respect of such offence under section 195 or section 196, as the case may be, and the absence of such complaint shall be reasonable cause, within the meaning of section 344 of the Code, for postponing the commencement of the trial and for remanding the accused.

77. Temporary amendment of section 4, Act XXIII of 1931.—So long as this Ordinance remains in force, in sub-section (1) of section 4 of the Indian Press (Emergency Powers) Act, 1931, after clause (b), the following words and clauses shall be deemed to be inserted, namely:—"or which tend directly or indirectly,—(c) to seduce any officer, soldier, sailor or airman in the military, naval or air forces of His Majesty or any police officer from his allegiance or his duty, or (d) to bring into hatred or contempt His Majesty or the Government established by law in British India or the administration of justice in British India or any Indian Prince or Chief under the suzerainty of His Majesty, or any class or section of His Majesty's subjects in British India or to excite disaffection towards His Majesty or the said Government or any such Prince or Chief, or (e) to put any person in fear or to cause annoyance to him and thereby induce him to deliver to any person any property or valuable security, or to do any act which he is not legally bound to do, or to omit to do any act which he is legally entitled to do, or (f) to encourage or incite any person to interfere with the administration of the law or with the maintenance of law and order, or to commit any offence, or to refuse or defer payment of any land-revenue, tax, rate-cess or other due or amount payable to Government or to any local authority, or anything recoverable as arrears of or along with such rent, or (g)

to induce a public servant or a servant of a local authority to do any act or to forbear or delay to do any act connected with the exercise of his public functions or to resign his office, or (h) to promote feelings of enmity or hatred between different classes of His Majesty's subjects, or (i) to prejudice the recruiting of persons to serve in any of His Majesty's forces, or in any police force, or to prejudice the training, discipline or administration of any such force," and the provisions of that Act shall apply accordingly.

78. Jurisdiction barred.—Except as provided in this Ordinance, no proceeding or order purporting to be taken or made under this Ordinance shall be called in question by any Court, and no civil or criminal proceeding shall be instituted against any person for anything done or in good faith intended to be done under this Ordinance or against any person for any loss or damage caused to or in respect of any property whereof possession has been taken under this Ordinance.

79. Operation of other penal laws not barred.—Nothing contained in this Ordinance shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence punishable under this Ordinance.

80. Savings in respect of certain Ordinances.—(1) Anything done in pursuance of any provision of the Emergency Powers Ordinance, 1932, the Unlawful Instigation Ordinance, 1932, the Unlawful Association Ordinance, 1932, or the Prevention of Molestation and Boycotting Ordinance, 1932, shall, where the corresponding provision of this Ordinance has come into force before the 4th day of July, 1932 be deemed on the expiry of the said Ordinances to have been done in pursuance of the corresponding provision of this Ordinance, and, shall have effect, and the provisions of this Ordinance shall have effect, accordingly.

(2) Without prejudice to the generality of the foregoing provision it is hereby expressly provided that—(a) this Ordinance shall operate to confer a right of appeal in all cases where an appeal would have lain under any provision of any of the Ordinances specified in sub-section (1) and every appeal pending at the time of the expiry of the said Ordinances, and, subject to the provisions of this Ordinance relating to the presentation of appeals, every appeal made in pursuance of this sub-section shall be heard and decided in accordance with the provisions of this Ordinance; (b) this Ordinance shall operate to confer a power to prosecute any person for any offence committed against any provision of any of the Ordinances specified in sub-section (1) and such offence shall be deemed to be an offence committed against the corresponding provision of this Ordinance; this Ordinance shall operate to confer a power to continue and complete any trial or proceeding under any provision of any of the Ordinances specified in sub-section (1) which was pending at the time of the expiry of the said Ordinances, as if such trial or proceedings were a trial or proceeding begun under the corresponding provision of this Ordinance.

BENGAL NOTIFICATION ON THE ORDINANCE

An issue of the Calcutta Gazette Extraordinary, issued on June 30, 1932 published a memorandum on the Special Powers Ordinance, 1932 as applicable in the Presidency of Bengal. The notification stated:

Whereas the Governor-General-in-Council in exercise of the power conferred by sub-section (2) of section 1 of the Special Powers Ordinance, 1932, has extended to the Presidency of Bengal all the provisions of the said Ordinance other than Chapter V and those provisions already extended to the said Presidency.

Now therefore in exercise of the power conferred by sub-section (3) of section 1 of the said Ordinance, the Governor in Council is pleased to direct that all the provisions of the said Ordinance, other than sections 64, 74, 75, 76, 77, 78, 79 and 80 which are already in force and Chapter V, shall come into force in the said Presidency except in the districts of Bogra, Malda, Darjeeling, Murshidabad, Khulna, Burdwan, Birbhum, Faridpur, Mymensingh, Noakhali and the Hill Tracts of Chittagong, on the 30th of June 1932.

POWERS FOR OFFICERS.

In exercise of the power conferred by sub-section (1) of section 22 of the Special Powers Ordinance, 1932, the Governor-in-Council is pleased to empower the officers mentioned below to exercise all the powers of the Local Government specified in sub-section (1) of section 4 of the said Ordinance with the area mentioned against each officer—

The town of Calcutta, as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866—The Commissioner of Police, Calcutta.

Each district of Bengal excluding the suburbs of Calcutta—The District Magistrate of the district.

POWERS TO OFFICERS TO MAKE ARREST

In exercise of the power conferred by sub-section (1) of section 3 of the Special Powers Ordinance, 1932, the Governor-in-Council is pleased to authorise the following officers to make and direct arrests under the said sub-section, namely:—

(1) All Magistrates.
(2) All civil police officers not below the rank of a Sub-Inspector or Sergeant.

OFFICERS TO KEEP ARRESTED PERSONS IN CUSTODY

In exercise of the power conferred by sub-section (1) of section 3 of the Special Powers Ordinance, 1932, the Governor-in-Council is pleased to authorise the following officers of the district of Chittagong to make and direct arrests under the sub-section, namely:—

(1) all commissioned military officers;

(2) all police officers not below the rank of an Assistant Sub-Inspector or head constable or, in the case of the Eastern Frontier Rifles and the Assam Rifles, of a lance-naik, and

(3) all military non-commissioned officers.

In pursuance of the provisions of sub-section (2) of section 3 of the Special Powers Ordinance, 1932, the Governor-in-Council is pleased to make the following general order specifying the custody to which persons arrested under the said section shall be committed, namely:—

Persons arrested under the said section in the town of Calcutta as defined in the Calcutta Police Act, 1866, or in the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, shall be committed to the custody of the Superintendent of the Presidency Jail or of the Superintendent of the Alipore Central Jail.

Persons arrested under the said section in any district (excluding the suburbs of Calcutta) shall be committed to the custody of the Superintendent of the District Jail.

In pursuance of the provisions of sub-section (2) of section 3 of the Special Powers Ordinance, 1932, the Governor-in-Council is pleased by general order to specify as the custody to which persons arrested under the said section shall be committed:—

The custody of the Superintendent of the Dum Dum Special Jail and the Dum Dum Additional Special Jail—In Calcutta and the district of 24 Parganas.

OFFICERS EMPOWERED TO REQUIRE THE ASSISTANCE OF CERTAIN PERSONS

In pursuance of the provisions of section 10 of the Special Powers Ordinance, 1932, the Governor-in-Council is pleased to authorise the officers specified below to exercise the powers conferred by the said section of the said Ordinance in the area mentioned against each officer—

The town of Calcutta, as defined in the Calcutta Police Act, 1866, together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866—(1) The Commissioner of Police and (2) all Deputy Commissioners of Police.

Each district of Bengal, excluding the suburbs of Calcutta—(1) The District Magistrate of the district concerned and (2) the Superintendent of Police of the district concerned.

DELEGATION OF POWERS OF LOCAL GOVERNMENT

In exercise of the powers conferred by sub-section (1) of section 22 of the Special Powers Ordinance, 1932, the Governor in Council is pleased to empower the following officers to exercise all the powers of the Local Government specified in section 5 of the said Ordinance outside the limits of the town of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, namely—

(1) All District Magistrates within the districts of which they are respectively in charge.

(2) All police officers not below the rank of a Deputy Superintendent or, in the case of the Eastern Frontier Rifles and Assam Rifles, of an Assistant Commandant.

BENGAL EMERGENCY POWERS ORDINANCE, 1932

Bengal Emergency Powers Ordinance to suppress the terrorist movement was issued in November 1931. As this was due to lapse on May 29, 1932, a new ordinance (styled Bengal Emergency Powers Ordinance, 1932) was promulgated on May 28, 1932. Its provisions are in some respects different from the Ordinance it replaces. The New Ordinance contains seven sections as against 41 in the Bengal Emergency Powers Ordinance issued in November, 1931. This is largely due to the fact that various powers included in the latter Ordinance were later enacted in the General Emergency Powers Ordinance which had been then in force.

The Ordinance issued, however, does away with the Special Tribunal of three High Court Judges provided in the old Ordinance and gives alter-

native procedure. The Ordinance renews the Local Government's power to make rules and to delegate powers to military officers, but these two sections are applicable only to the Chittagong district and cannot be extended to any other district without notification by the Government of India.

Following is the text of the Ordinance:—

TEXT OF THE ORDINANCE

Whereas an emergency has arisen which makes it necessary to confer certain special powers on the Government of Bengal for the purpose of suppressing the terrorist movement and to provide for the trial of certain offences, the hearing of certain appeals and the procedure in certain courts in connection with the offences arising out of the terrorist movement, now therefore, in exercise of the power conferred by section 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance.

(1) This Ordinance may be called the Bengal Fmergency Powers Ordinance, 1932; (2) it extends to the whole of Bengal but sections 2 and 3 shall apply only to the district of Chittagong unless the Governor-General-in-Council by notification in the Gazette of India makes a declaration applying either or both of these sections to any other area.

2. (1) The Local Government subject to the control of the Governor-General-in Council may by notification in the local Official Gazette make rules (a) to prevent communication with absconders and to secure information of the movement of absconders, (b) to prevent attacks on the person and property of His Majesty's subjects or to secure information of such attacks and of designs to make such attacks, (c) to secure the safety of His Majesty's forces and police, (d) to provide for the custody, pending production before a court, of prisoners taken in circumstances in which the provisions of the Code of Criminal Procedure, 1898, cannot be followed without undue inconvenience

(2) In making a rule under this section the Local Government may provide that any contravention, therefore, shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

POWERS FOR MILITARY OFFICERS

3 (1) The Local Government may invest any Military Officer not below the rank of Captain with any of the powers of a District Magistrate under section 6, 7 10 or 11 of the Emergency Powers Ordinance, 1932.

(2) Where the Local Government has invested the District Magistrate with the powers of a Local Government under section 5 or section 9 of the Emergency Powers Ordinance, 1932, the District Magistrate may subject in case of delegation the powers under section 5 to the control of the Local Government, delegate the powers so vested in him to any Military Officer not below the rank of Captain.

(3) The District Magistrate may, by order in writing, authorise any Military officer to exercise any of the powers of the District Magistrate under section 6, 7, 10 or 11 of the Emergency Powers Ordinance, 1932 in a specified area or in connection with a specified operation or series of operations.

COMPLETION OF TRIAL

4. (1) Where before the expiration of the Bengal Emergency Powers Ordinance 1931 an order has been made thereunder for the trial of any person by a Special Magistrate but the trial has not begun or where at such expiration the trial of any person is proceeding before a Special Magistrate but has not been completed, the offence may be tried or the trial may be completed, as the case may be, by such Special Magistrate and such Special Magistrate shall continue to have and to exercise, for the purpose of such trial, all the powers with which he was invested under the said Ordinance.

RIGHT TO APPEAL.

(2) Notwithstanding the expiration of the Bengal Emergency Powers Ordinance 1931 an appeal shall lie, subject to the provisions therein contained relating to appeals from any sentence passed by a Special Magistrate under the Ordinance, within seven days prior to its expiration and from any sentence passed by a Special Magistrate trying an offence or completing a trial under sub-section (1) and every such appeal and every appeal pending at the date of such expiration shall be heard and decided by the authority by which it would have been heard and decided if the said Ordinance had not expired, provided that the appellate jurisdiction exercisable under the said Ordinance by a Special Tribunal shall be exercised, where the sentence is passed by a Special Magistrate in the Presidency town of Calcutta, by the High Court, and where the sentence is passed by a Special Magistrate in any district, by the Court Sessions.

POWERS TO EXERCISE HIGHEST PENALTY OF LAW

5. Where in a trial by Commissioners appointed under the Bengal Criminal Law Amendment Act, 1925, any person is convicted of an offence punishable under the first paragraph of section 307 of the Indian Penal Code committed after the 30th November, 1931, the Commissioners may pass on such person a sentence of death or of transportation for life.

POWERS TO REFUSE PUBLIC ACCESS TO THE COURT

6. (1) In any trial by the Commissioners appointed under the Bengal Criminal Law Amendment Act, 1925, the Commissioners may, if they think fit, order at any stage of the trial that the public generally or any particular person shall not have access to, or be or remain, in the room or building used by the court.

(2) In any trial by a Special Judge or a Special Magistrate appointed under the Emergency Powers Ordinance 1932 of an offence specified in the schedule in regard to which the Local Government certifies that in the opinion of the Local Government there are reasonable grounds for believing that such an offence has been committed in furtherance of or in connection with the terrorist movement, the Special Judge or Special Magistrate, as the case may be, may, if he thinks fit, order at any stage of the trial that the public generally or any particular person shall not have access to, or be or remain, in the room or building used by the court.

(3) Where in the course of any trial referred to in sub-section (1) or sub-section, (2) the Advocate General certifies in writing to the court that it is expedient in the interest of the public peace or safety or of the peace or safety of any of the witnesses in the trial that the public generally should not have access to, or be or remain, in the room or building used by the court of Commissioners, the Special Judge or the Special Magistrate, as the case may be, shall order accordingly.

POWERS TO DEAL WITH REFRACTORY ACCUSED

7. (1) Where any accused, in a trial by Commissioners appointed under the Bengal Criminal Law Amendment Act 1925, has, by his voluntary act, rendered himself incapable of appearing before the court or resists his production before it or behaves before it in a persistently disorderly manner, the court may, at any stage of the trial, by order in writing, made after such inquiry as it may think fit, dispense with the attendance of such accused for such period as it may think fit and proceed with the trial in his absence.

(2) Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with under sub-section (1), such accused shall be deemed not to plead guilty.

(3) An order under sub-section (1) dispensing with the attendance of an accused shall not affect his right of being represented by pleader at any stage of the trial or of being present in person if he has become capable of appearing or appears in court and undertakes to behave in an orderly manner.

(4) Notwithstanding anything contained in the Code of the Criminal Procedure 1898, no finding, sentence or order passed in a trial by Commissioner appointed under the Bengal Criminal Law Amendment Act, 1925 shall be held to be illegal by any court by reason of any omission or irregularity whatsoever arising from the absence of any or all of the accused whose attendance has been dispensed with under sub-section (1).

THE SCHEDULE

(a) Any offence punishable under any of the following sections of the Indian Penal Code, namely, sections 121, 121A, 122, 123, 148, 216, 302, 304, 326, 327, 329, 332, 333, 385, 386 387, 392, 395, 396, 397, 398, 399, 400, 401, 402, 431, 435, 436, 437, 438, 440, 454, 455, 457, 458, 459, 460 and 506.

(b) Any offence under the Explosive Substances Act 1908.

(c) Any offence under the Indian Arms Act, 1878.

(d) Any attempt or conspiracy to commit or any abetment of any of the above offences.

BENGAL EMERGENCY POWERS RULES

A *Calcutta Gazette Extraordinary*, dated June 10, notifies the rules made by the Governor-in-Council in exercise of the powers conferred upon him by Section 2 of the Bengal Emergency Powers Ordinance, 1932.

The rules require the public not to communicate, directly or indirectly, with absconders and terrorists, or assist them with money, arms, food, etc. The public are to communicate to the nearest Magistrate if in possession of any information about terrorists or absconders. The rules empower District, Magistrates to direct by an order in writing the inhabitants of any area

specified in the order to remain within their houses between sunset and sunrise for a specified period. The members of the military and the police forces have been empowered to stop and search any person whom they suspect of carrying arms or of carrying information intended for absconders or terrorists, or any material designed for any unlawful or improper use.

The full text of the rules as amended follows:—

1. These rules may be called the Bengal Emergency Powers Rules, 1932.

2. In these rules, unless there is anything repugnant in the subject or context,—(a) "military officer" means a commissioned military officer, (b) "police officer" means a police officer enlisted under the Police Act, 1861, and includes a police constable and any member of the Eastern Frontier Rifles or the Assam Rifles, (c) "terrorist" means a person who (i) is a member of an association of which the objects and methods include the commission of any scheduled offence, or the doing of any act with a view to interfere by violence or threat of violence in the administration of justice, or (ii) has been or is being instigated or controlled by a member of any such association with a view to the commission or doing of any such offence or act, or (iii) has done or is doing any act to assist the operations of any such association.

3. (1) No person shall communicate, directly or indirectly, with an absconder or terrorist or supply him with food, water, arms, clothing or any other article or assist him in any way. (2) No person shall collect any money, valuables, or other articles for the purpose of assisting any absconder or terrorist.

INFORMATION ABOUT ABSCONDERS

4. (1) Any person who sees an absconder or terrorist or has any information of the movements or whereabouts of any absconder or terrorist or of any communication or means of communication with an absconder or terrorist shall forthwith give full information thereof to the nearest Magistrate, military officer or police officer. (2) Any person who is aware of the presence in his locality of any stranger shall forthwith report the fact to the nearest Magistrate, military officer, or police officer.

5. Every person shall be found to supply, to the best of his ability, any information which any magistrate, military officer or police officer may require regarding the movements or whereabouts of absconders or terrorists.

POWERS FOR POLICE AND MILITARY

6. Every military officer and every police officer, not below the rank of an assistant sub-inspector or, in the case of Eastern Frontier Rifles and Assam Rifles, of a jamadar, shall have the power to intercept telegrams, telephone messages, letters, postcards and parcels whenever he considers it to be necessary for the purpose of preventing communication with absconders or terrorists, or for the purpose of securing the safety of the military and police forces.

POWERS FOR DISTRICT MAGISTRATE

7. (1) The District Magistrate may, for the purpose of preventing the movements of and communication with absconders or terrorists, direct, by an order in writing, the inhabitants of any area specified in the order to remain within their houses between sunset and sunrise on the day or for the period specified in the order. (2) Any person who contravenes an order made under sub-rule (1) shall be deemed to have committeed an offence punishable under rule 19.

8. (1) If in the opinion of the District Magistrate it is necessary for the prevention of interference with the measures taken for the suppression of the terrorist movement, he may, by an order in writing, prohibit any person who does not ordinarily reside within an area of the district specified in the order from entering, or remaining in, the said area without a permit granted by an authority specified in the order, who may impose such conditions as he thinks fit. (2) An order made under sub-rule (1) shall be served on the person against whom it is made in the manner provided in section 134 of the Code of Criminal Procedure, 1898. (3) Any person who contravenes an order made or condition imposed under sub-rule (1) shall be deemed to have committed an offence punishable under rule 19.

9. No unauthorised person shall wear the uniform or equipment of His Majesty's military or police forces, or similar clothing in any way resembling such uniform.

SAFETY OF FORCES

10. Every person shall forthwith communicate to the nearest magistrate, military officer, or police officer any information which he may obtain respecting any matter likely to affect the safety of the military or police forces.

11. Every member of the military and police forces shall have the power to stop and search any person whom he may suspect of carrying arms, or of carrying information intended for absconders or terrorists, or any material designed for any unlawful or improper use.

*11A. When any military offcer, gazetted police officer (above the rank of Inspector) or Magistrate of the first class, conducting the search of any place for absconders or terrorists, has reasonable grounds for believing that an attempt to approach and enter the place to be searched will endanger the lives of the search party, he may, after taking all reasonable precautions for the safety of innocent persons, use any and every means necessary to ensure the safety of himself and his men approaching and entering the place for the purpose of the search.

UNLICENSED ARMS

12. Any person who has any knowledge of the whereabouts of any unlicensed arms, ammunition, or explosives or of any tools, machinery, implements or other material of any kind likely to be used for the commission of an offence shall forthwith report the fact to the nearest magistrate, military officer or police officer.

13. No person shall in any way impede or attempt to impede or incite any person to impede any member of the military or police forces.

14. Any person knowing of any attempt or design to damage any military, police or public property shall forthwith report the matter to the nearest military or police officer.

15. No person shall endeavour to elicit information regarding the military or police forces from any member of such forces or from any person in the employment of Government.

BAN ON NEWSPAPERS

16. (1) No person shall communicate any information regarding the military or police forces to any newspaper. (2) No newspaper shall publish any information regarding the military or police forces. If any newspaper publishes any such information, the owner, publisher, editor and printer of such newspaper shall be held liable for such publication.

17. (1) No person shall use any wireless transmitting or receiving set. (2) Any person possessing any apparatus designed for such purpose shall forthwith inform the nearest military or police officer and shall make over the apparatus to him at such time and place as he may appoint.

18. Any person found in possession of any publication, leaflet or paper containing any incitement to murder or violence, or any matter in support, shall be deemed to have committed an offence under these rules.

19. Any person who contravenes any of these rules shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

ORDINANCE IX OF 1932

The Ordinance IX of 1932 promulgated on June 30 is essentially the same as the Bengal Emergency Powers Ordinance, 1932. It is intended to substitute sections of the Emergency Powers Ordinance which expires on July 3 by the corresponding sections in the Special Powers Ordinance promulgated on June 30.

EXTENSION OF ORDINANCES TO N. W. F. P.

The Governor-General-in-Council notified on June 4 the extension to the N.-W. F. Province of Sections 2 and 62 of the Emergency Powers Ordinance and Sections 2, 3, 4, 5, 6, 7, and 9 of the Unlawful Association Ordinance. The extension of these two Ordinances to the N. W. F. Province did not mean the application to that province of new powers. The provisions of the two Ordinances were also contained in Ordinances 13 and 15 of 1931 which had been in force in the Province since December 24 last. The result of the action taken was merely to place the Province in the same position as regards the dates as other provinces in which the two Ordinances were being extended.

*This rule was subsequently inserted in exercise of the powers conferred by section 2 of the Bengal Emergency Powers Ordinance, 1932.

POLITICS IN BENGAL

FIRST UTTERANCES OF THE NEW GOVERNOR

SIR JOHN ANDERSON, the new Governor of Bengal, was presented with welcome addresses by the Indian Association, British Indian Association, Bengal Land Holders' Association, Central National Mahomedan Association, Mahomedan Literary Society, European Association, Anglo-Indian and Domiciled European Association, Indian Chamber of Commerce, Bengal National Chamber of Commerce, Marwari Association, Mahajan Sabha, etc., etc. Important extracts from the addresses and replies as explaining the Government policy on the various topics raised follow:

INDIAN ASSOCIATION.

The members of the Indian Association in their address drew attention to some of the pressing problems confronting the Province. The address referred to the complaint of the people that subjects of general welfare and progress had not received the attention they deserved and that in matters of public health, education, communications and economic life there was conderable neglect. The members called His Excellency's attention to a widespread feeling that the special measures promulgated had been applied in an unduly harsh manner. The address also urged for a closer study of the economic problems of the country and a financial adjustment with the Central Government over the Meston Award.

The Reply

In replying His Excellency said that the growth of public health, services and education, the improvement of means of communication and transport, the development of the natural resources of the country and other nation-building activities had not kept pace with the ideals of the more enlightened sections of the community, but he felt sure, however, that Ministers were striving to do all that was possible within the limits of the means available and that no effort would be spared in the development of a sound constructive policy.

Dual Policy of the Government

Explaining the dual character of the Government, His Excellency said that while it was necessary to take action under the specific threat of a general renewal of civil disobedience, the Government did not lose sight of the constructive side of their programme in the sphere both of political and of administrative development. He added:

"In opposing a movement which, unchecked, would speedily bring life and property into jeopardy and render impossible any form, not merely of constitutional advance but even of that ordered administration on the preservation of which commerce and the ordinary life of the people alike depend, Government are fighting the battle of all future governments in India. But while the administration must at all costs be carried on, and while we intend to take every step necessary to achieve this essential condition, I would assure you that Government invite and indeed earnestly seek the help of all who wish to see orderly progress towards political advancement in India and the effective administration of vital services. The way is open both in constitutional matters and in every day administration for constructive co-operation between Government on the one hand and men and women of good will on the other hand, whether acting as individuals or through unofficial organisations and agencies."

Financial Reform

Referring to the injustice of the financial settlement with the Central Government, Sir John Anderson stated,

"The Hon'ble Finance Member only a few weeks ago attended a meeting of the Federal Finance Committee in New Delhi with a mandate both from the Government of Bengal and from the Legislative Council to press our case for a more liberal settlement under the forthcoming reforms. I feel bound, however, to observe that whatever may be the outcome of that investigation, we are not likely to be relieved of the necessity of developing and husbanding our resources with the utmost care for many years to come."

BRITISH INDIAN ASSOCIATION

The British Indian Association drew attention to the Zemindars' rights and stakes in the country and asked for the recognition of the 'just rights and privileges of the landed aristocracy of Bengal that had been granted to them under Permanent Settlement which acquired the sanctity of a time-honoured treaty.' The Association also craved for sympathetic relief to themselves and their tenantry in view of dire economic distress in the country.

Permanent Settlement

Regarding the policy of the Government on the Permanent Settlement Sir John Anderson said:

"The view my Government take,—and it is a view which has been endorsed as recently as last Christmas by His Excellency the Viceroy,—is that so long as land revenue remains a "reserved subject" and the Permanent Settlement is not proved to be inimical to the best interests of the State, Government would not regard with approval any attempt to interfere with a statutory arrangement sanctioned by the lapse of years and inextricably bound up with economic conditions and judicial practice in Bengal."

Special Representation in Legislature

Anent the desire of the Association that the landlords should have a fair share of the administrative responsibilities of the country, His Excellency said:

"The attitude of the Government of Bengal towards the retention of special representation for the landlords has been, to say the least, sympathetic. Whether a request for proportionately larger special representation than you already enjoy can be reconciled with the modern conception of a democratic franchise is hardly for me to say. I realise that there are factors in Indian conditions which may call, particularly at the outset, for a stronger representation of the more stable elements,—but as regards special representation itself you are at all events in the strong position of having enjoyed it continuously since the Reforms of 1909. In any case I should confidently hope that the weight which your views will carry in the counsels of the Province will never be measured solely by the numerical strength of your representation.

Similarly as regards your desire that in the future constitution of this Province provision should be made for a second Chamber,—it is impossible for me to say anything except that I fully realise that there are weighty reasons to be urged in favour of such a provision."

Relief to Zemindars

As regards help to the landlords, His Excellency assured,

"Government are always ready to render such help as is reasonably possible—consistent with the necessity for realising the land revenue without which it would be impossible to carry on the administration—and while, of course, individual cases must continue to be treated on their merits, my Government have no present intention, while existing conditions persist, of going back on the policy to which you have referred in terms of appreciation. I hope that, as far as may be possible, you will enable your tenants to share in such advantageous treatment as you yourselves receive. Government are mindful on their part of the difficulties of the tenants and they have tried, and will continue to try, to help them, in the areas affected, by the grant of agricultural loans and where necessary, of gratuitous relief."

CENTRAL NATIONAL MAHOMEDAN ASSOCIATION

The address on behalf of the Central National Mahomedan Association condemned the anarchical crimes and political murders and assured the Government that any measure to put down lawlessness would have their full support. In pressing for the Moslem demands, the address asserts:

"While we, Moslems, aspire to see the fulfilment of the pledge of self-government as enunciated by His Majesty's Government, we desire to make it perfectly plain that Moslems adhere to the minimum demands formulated at the All-India Moslem Conference

of Delhi in 1929 under the leadership of His Highness the Aga Khan and subsequently affirmed in 1931 by the said Conference, and that no constitution however otherwise perfect will be acceptable to us unless our just and legitimate rights and interest in respect of representation in the central and provincial legislatures, other public bodies and in the public services on the basis of population and weightage where necessary, in consideration of the historic and political importance of our community are guaranteed in clear and definite terms in the Statute."

The Association also urged for an early communal award and the adoption of the Minorities Pact arrived at in London.

His Excellency's Reply

In course of his reply His Excellency said:

"I am aware that terrorism and civil disobedience alike are regarded with abhorrence by the great mass of your co-religionists and I recognise the spirit of loyalty which has animated your community in the recent as well as in the more remote past."

Educational Facilities

Anent the community's falling in the struggle for western education and for employment in the services of Government His Excellency said:

"I notice that His Excellency the Viceroy, when you raised the same point in an address to him recently, pointed out that it will not do to put all the blame on the "resumption" proceedings of 1828 and subsequent years. While I will certainly look into the matter from what I may term the historical point of view taken in your address, I suggest that it will really be more profitable for us to turn our eyes to the future rather than to the past to see what we can do to remedy a state of affairs which was certainly come into existence, be the causes what they may. Progress may at times seem to the members of your community to be slow, but I am assured that progress is being made, both in the matter of improved educational facilities for the masses (which will benefit your community especially because they have more leeway to make up) and in the matter of securing for you a more equitable representation in the administration of the Province."

Minimum Demand

Regarding the minimum demands, he continued:

"Here again you will hardly expect me to venture in public on an opinion on a matter which is now before His Majesty's Government in London."

MAHOMEDAN LITERARY SOCIETY

To the Mahomedan Literary Society His Excellency, the Governor of Bengal, on April 14 in course of his reply said:

Representation in the University

"You express dissatisfaction at the rate of advance of Muslim education under the aegis of the University of Calcutta and you ask that provision should be made for adequate representation of your community in the various departments of the University. You will not expect me, I am sure, after only a fortnight in the Province, to express an opinion on this point, but my Government are carefully examining the merits of proposals for the amendment of the Calcutta University Act and I see no reason to doubt that in any amending legislation Muslim interests will be adequately safeguarded.

Recruitment in Judicial and Educational Services

I am not quite sure of your reasons for singling out the judicial and educational services as services in which recruitment is made by means of 'pure literary competitive tests.' So far as recruitment to the Bengal Judicial Service goes, the matter is entirely in the hands of the High Court, but I can assure that no competitive literary test is involved and that, so far from Mahomedans being shut out from the service, the recruitment figures for the past four years show that over 30 per cent. of the appointments have gone to Mahomedans. In the Education Department the recruitment rules vary with the different branches. It is laid down that a proportion varying between 33 per cent and 45 per cent of the new appointments shall be given to Mahomedans. On the general question I can assure you that I am fully alive to the importance of securing the inclusion of a due proportion of Mahomedans of appropriate merit and ability in the various branches of the public service."

EUROPEAN ASSOCIATION

To the European Association who presented an address of welcome on April 9, H. E. the Governor of Bengal said:

Appreciation of Service to India

"You say in your address that the members of your Association are deeply interested in the welfare of India. It could hardly be otherwise when so much that is now taken for granted in modern India owes its origin and development to the pioneers of the community whom you represent. And in saying this I am thinking not only of the great commercial and industrial interests which you have created,—giving occupation and a means of livelihood to hundreds of thousands of the people of India—but to the traditions of honest dealing in public life and private and of devoted service to the country in the social and economic and latterly, under the reforms, in the political sphere.

Anxiety For Political Reforms

I can appreciate also that, with your inherited traditions and beliefs, you are anxious for the political development of this country towards those free self-governing institutions which in your own country you owe to the vision and enterprise of those who have gone before you. I agree with you in thinking that in this matter you have a great contribution to make to the advancement of this country and that contribution can best be made if there is close co-operation between the European and the Indian in the evolution of the country's institutions. Though admittedly by reason of your history and position in the country you wield an influence out of all proportion to your numbers, you will not expect in any democratic constitution that may be introduced to be able to sway the decision of the electorate or of the Government by the mere weight of your vote. It must be by the essential soundness of your views and objects that you will seek to commend them to those whose numbers will control the machine of government. This you have already done in the past, and I fully believe that in any future constitution that is likely to be framed for this Province there will be not only every opportunity but indeed much occasion for the steadying influence which your representatives can bring to bear.

Auxiliary Force

I thank you, gentlemen, for the assurance that my Government can count upon your whole-hearted support in such measures as may from time to time be necessary for the maintenance of law and order. This is only what I might have expected from the community whom you represent. For proof of the genuineness of your professions in this matter—if proof were needed—I am told that I need not look farther than to the several units of the Auxiliary Force in different parts of this Presidency whose numbers and efficiency are a sufficient indication of the keenness which inspires all ranks serving in them. Believe me, I do not underrate the public spirit both of those who offer themselves for such training and of the firms who allow them facilities to undergo it.

Frank, Open and Friendly Criticism

You say that your Association has hitherto been regarded as one of the public bodies whose opinions have been consulted by Government on matters of public interest. I can promise you that I shall not make less use of you in this respect than my predecessors have done. In the problem which lie before us all men of good will can play their part in helping to attain a solution in which no legitimate interest will be sacrificed but all interests will be subjugated to the common weal. Your members represent important interests of mankind; they carry great responsibilities and command a great experience. From such a body assistance must always be welcome, and if it is tempered with the "frank, open and friendly criticism" to which you have referred, I trust you will always find me as accessible to hear the latter as I shall be grateful for the former.

We shall, I hope, soon come to know each other more intimately than the formalities of to-day's ceremony permit; but, in the meantime, let me again thank you for your cordial welcome and good wishes."

ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION

The Anglo-Indian and Domiciled European Association in their welcome address stated that by reason of their origin, services, history and tradition their community was entitled to the sympathy of both Britain and of India. Reference was also made to the part played by the community in developing the country and in supporting the forces of order.

In reply His Excellency acknowledged the important part played by their community and realised that the community cherished no higher ambition than to be allowed to follow the pursuits connected by long association with the community and to maintain the traditions inherited with them,

Alluding to the smallness of the community (with about 30,000 members) His Excellency thought that while the problems affecting their community had their political side, its interests and anxieties were economic.

Anglo-Indian & European Education

On the subject of educational facilities for the community His Excellency said:

I have heard something of the difficulties with which you are now-a-days confronted in your efforts to maintain a position in those branches of Government service which a few years ago were regarded by you almost as a preserve, and I realise that here and in other walks of life to which you may justly look for employment for your sons and daughters you will be faced with a competition which only a sound education can enable you to meet. It is the desire of Government to maintain the present policy as regards Anglo-Indian and European education, improving and developing the system to the highest degree possible within the financial resources at our disposal.

Claims for Sympathy

Referring to the claims for sympathy both of Britain and of India, made by the community, His Excellency said:

I cannot pledge either Britain or India but I can give you my personal assurance, and I do so now in all sincerity—that during my term of office I shall always be ready to listen to your representations and to do what lies in me, consonant with my responsibilities to the Province as a whole, to further your legitimate interests.

INDIAN CHAMBER OF COMMERCE

In course of his reply to an address by the Indian Chamber of Commerce on April 9, Sir John Anderson, the new Governor of Bengal, said that he was anxious to do all that lay in his power to maintain and improve good understanding between the Government and the governed in Bengal. "I have no reason," he continued, "to believe that, as between my Government and the generality of the people of the Province, there is other than a good understanding at present".

Constitutional Reforms

With regard to constitutional reforms His Excellency remarked:

The co-operation of leaders of all parties was sought for the constitutional discussions in London and it was not on the intiative of Government that a train of events was set in motion which has since deprived Government and the country of the assistance of some whose help Government would very gladly have welcomed. As it is, His Majesty's Government and the Governments in India have lost no time, ever since the Round Table Conference dissolved, in setting up committees and taking other measures for the elaboration of the scheme of constitutional reforms foreshadowed by the Prime Minister in his speech of 1st December last and subsequently endorsed in the most solemn manner by both Houses of the British Parliament. The aim of British statesmanship, pronounced and repeated many times by Viceroys and Ministers within recent years, is to frame a constitution under which India will be able to advance to full responsibility for her own Government within the British Commonwealth of Nations and the problem upon which statesmen, Indian and British alike, are at present engaged is the determination of the steps by which that end can best be attained

Defence Of Ordinances

As regards the special powers His Excellency said:

I agree that they are, as they were meant to be, drastic and comprehensive; designed as they were, and introduced, to meet an unprecedented emergency threatening the very basis of social and political order in India, they could not but be drastic in nature. I can understand that the issue of instruments placing such wide powers in the hands of the executive authorities might have occasioned a certain amount of apprehension at the time of publication but, I find it more difficult to believe that now, after three months' working of the Ordinances, there can be any excuse for fear among the vast mass of the law-abiding population. The Ordinances were designed and have, I believe, been administered for the protection and benefit of the law-abiding sections of the community,—and especially for the benefit of those whose normal pursuits,—commercial and financial—render them most vulnerable to any disturbance affecting the safety of property or the maintenance of credit. No one will be more happy than the Executive authorities, who have to administer them, when a condition of affairs arises in which it will be possible to dispense with the Ordinances and revert to the ordinary

law. But the initiative in this matter rests with those whose action has forced Government to assume these unusual powers. Meanwhile, I can only reiterate what has already been repeatedly stated on behalf of Government, that no innocent party has anything to fear from the Ordinances: on the contrary, they were designed expressly to assure all law-abiding persons of the maintenance of their individual liberty and of freedom from the tyranny of social and economic molestation for political ends.

BENGAL NATIONAL CHAMBER OF COMMERCE

In the course of their address the Bengal National Chamber of Commerce referred to the unsettled political condition, aggravated by the present policy of repression and of government by ordinance. The Chamber invited attention to the feeling, widely current in the Province, that British businessmen, whose outlook had come to be so markedly anti-national, were exercising an unusual degree of influence over the policy of the Government and was alienating more the sympathy and moral support of important sections of the people, who would otherwise have been eager to associate themselves in all efforts at constructive government. While condemning terrorism, the Chamber believed that sound representative institutions could not evolve from a policy of conflict, but could only be founded upon the willing consent of the people. Lastly, the Chamber hoped that His Excellency would accord Indian business interests the importance to which they were justly entitled.

Jute Crisis

Replying, His Excellency deplored the economic condition of the province and, speaking on the jute crisis, said:

I would hesitate long before supporting any proposal for Government intervention, because I am in principle opposed to Government interference in the delicately balanced mechanism of trade and industry. I will at this stage say only this that Government in these times could not afford to stand idly by and see a great industry, which is the mainstay of this province, plunged into confusion for lack of timely action of one kind or another.

Employment for Bhadralog Class

In course of his reply he said:

The scarcity of suitable outlets for the young people of what I believe you call "the bhadralog class" is also worthy of the most serious consideration. I can assure you that it is constantly engaging the attention of my Government.

Repressive Measures

In connection with the reference in the address to repressive measures, His Excellency said:

Those who have committed themselves overtly or covertly to a policy of resistance to a constituted authority are naturally incommodated. That was after all the purpose of the emergency measures.

Call for Co-operation

His Excellency welcomed their condemnation of terrorism and supported their plea for closer contact and better understanding between the different sections of the community. Concluding His Excellency observed:

In view of the most definite and solemn assurances which you have received as to the policy of His Majesty's Government and the Government of India in regard to the progress of constitutional reform, I find it rather difficult to see how co-operation with Government either in that matter or in everyday administration can be thought to be incompatible with self-respect.

JAIL ADMINISTRATION

SPECIAL REGULATIONS FOR BENGAL DETENUS AT DEOLI

RULES governing the custody and conduct of the Bengali Detenus in the Deoli Camp Jail (Ajmer-Merwara) were published in the May 14 issue of the "Gazette of India." Except that they will be treated as civil prisoners, in accordance with the provisions of the Prisons Act, 1894 the provisions regarding their method of living, interview with relatives, privileges of writing letters, and of a supply of newspapers as also the powers of the jail authorities regarding maintaining of discipline and in preventing attempt to escape, are precisely the same as those meant for the Buxa and the Hijli Camps. They are allowed to enjoy 2 newspapers and 28 magazines, which are considered "innocuous."

The notification is as follows:—

"CIVIL" PRISONERS

In exercise of the powers conferred by section 13 of the Bengal Criminal Law Amendment Act, 1930, read with section 2 of the Bengal Criminal Law Amendment (Supplementary) Act, 1932, the Chief Commissioner is pleased to make the following rules:—

1. These rules may be called the Bengal Detenus Custody Rules.

2. The Deoli Camp Jail (hereinafter referred to as the prison) is hereby declared to be the place of custody of all persons (hereinafter referred to as prisoners) transferred to the province of Ajmer-Merwara in exercise of the provisions of section 2 of the Bengal Criminal Law Amendment (Supplementary) Act, 1932.

3. Save in so far as is otherwise provided by these rules, prisoners shall be treated as civil prisoners in accordance with the provisions of the Prisons Act, 1894, and the rules made there-under.

NINE COMMANDMENTS

4. (1) Prisoners shall reside in the accommodation allotted to them by the Superintendent within the limit of the prison;

(2) they shall not proceed beyond those limits save with the permission of the Superintendent given by general or special order in this behalf:

(3) they shall obey the orders of the Superintendent issued from time to time for the comfort, safety, health and orderly conduct and for the discipline and control of the prisoners residing within the prison;

(4) they shall attend roll-call and answer their names in person at such times and places within the prison as may be appointed by the Superintendent;

(5) they shall conform to the standards of cleanliness and dress laid down by the Superintendent;

(6) they shall not do anything wilfully with the object of affecting their own bodily welfare;

(7) they shall not have in their possession any coin, currency notes or negotiable instruments, any weapons, sticks, razors other than safety razors, pieces of iron or any other article which may be used as a weapon;

(8) they shall not exchange or sell any of their kit, equipment, clothes, furniture or other possessions: and

(9) they shall rise when any inspecting officer, police officer or member of a Visiting Committee approaches them and they shall answer any question put to them by such inspecting officer, police officer or member of a Visiting Committee in the discharge of their duties, and generally shall treat such persons with respect.

OMISSIONS AND COMMISSIONS

5. (1) Any prisoner who contravenes any of the provisions of rule 4 or does any of the following acts, namely;

(i) assaults, insults, threatens or obstructs any fellow prisoner or any officer of the prison or any other Government servant, or any person employed in the prison or any member of the Visiting Committee, or

(ii) quarrels with any person in the prison, or

(iii) is guilty of indecent, immoral or disorderly conduct, or

(iv) communicates or attempts to communicate with any person outside the prison in an unauthorised manner, or operation of any rule made under the Prison Act, 1894;

(v) bribes or attempts to bribe any Government servant or any person employed in the prison, or

(vi) commits any nuisance or wilfully befouls any well, latrine, washing or bathing place, or

(vii) disobeys the orders of or shows disrespect to any officer of the prison, or

(viii) wilfully damages any property belonging to Government or tampers with prison locks, lamps or lights, or

(ix) abets the commission of a foregoing act, or

(x) omits or refuses to help any officer of the prison in case of an attempted escape on the part of any of his fellow prisoners or of any attack upon such officer or upon any of his fellow prisoners:

Shall in lieu of any punishment to which he might have been liable under the provisions of the Prisons Act, 1894, be liable in respect of each such contravention of act or abetment, by order of the Superintendent, to any or all of the following punishments:

PUNISHMENTS

(a) confinement in cells for a period not exceeding fourteen days;

(b) reduction of diet allowance by not more than four annas per diem for a period not exceeding fourteen days;

(c) reduction of personal allowance by not more than eight annas per diem for a period not exceeding fourteen days;

(d) cancellation or reduction, for a period which may extend to two months, of the privilege of writing and receiving letters, newspapers and books; and

(e) cancellation or reduction, for a period which may extend to two months, of the privilege of having interviews.

(2) Nothing contained in sub-rule (1) shall be deemed to exempt prisoners from the operation of section 52 of the Prisons Act, 1894 (Act IX of 1894).

INTERVIEWS

6 (1) The Superintendent shall fix two days in the week on which interviews may take place.

(2) Interviews shall be permissible to such persons as have satisfied the Superintendent that they have received permission from the authorities appointed for that purpose by the Government of Bengal:

Provided that the prisoner sought to be interviewed is not undergoing punishment by cancellation or reduction of the privilege of having interviews.

(3) Interviews shall take place in the presence of an officer deputed by the Superintendent, and such officer may terminate an interview forthwith, if, in his opinion, the conversation is detrimental to the public interest or safety.

(4) Every person permitted to interview a prisoner and the prisoner himself shall be searched before and after the interview.

(5) The number of interviews shall not exceed more than one in a fortnight for each prisoner and there shall not be more than three visitors present simultaneously at an interview.

(6) The Superintendent may appoint the time, place and duration for each interview, and ordinarily will not allow an interview to continue for more than one hour.

WRITING LETTERS

7 (1) Prisoners may write three letters per week, but not more than one letter shall be allowed to be enclosed in one envelope except in special conditions with the permission of the Superintendent.

(2) Prisoners may receive as many letters as are addressed to them, subject to the provisions hereinafter contained for withholding such letters.

(3) All letters to and from prisoners shall be perused by the Superintendent or by an officer specially appointed by him to assist him in this behalf or to perform this duty in his absence.

(4) If the Superintendent or the officer appointed by him is of opinion that a letter intended for despatch from a prisoner may be detrimental to the public interest or safety, he may withhold it, and, in cases of doubt, he may refer the matter for orders to the Chief Commissioner.

(5) If the Superintendent or the officer appointed by him is of opinion that the communication of a letter addressed to a prisoner may be detrimental to the public interest or safety, he may withhold the letter, and, in cases of doubt, he may refer the matter for orders to the Chief Commissioner.

(6) In all cases in which a letter either is not despatched or is not delivered to the prisoner, the fact shall be reported to him.

(7) All letters the despatch or delivery of which is withheld in accordance with these rules shall be delivered to the Chief Commissioner.

(8) Notwithstanding anything hereinbefore contained, the Superintendent, or the officer appointed by him, may, instead of withholding the delivery or despatch of a letter, delete any portion which in his opinion may be detrimental to the public interest or safety and may despatch or deliver, as the case may be, the letter in such condition.

(9) The receipt and despatch of telegrams by prisoners shall be subject to the same control as is hereinbefore provided for letters except that the number of telegrams which may be despatched by a prisoner shall be within the discretion of the Superintendent.

8. (1) Any of the newspapers and periodicals contained in the list shown in Schedule 1 * to these rules may be received through the post by prisoners subject to the following conditions namely:—

(a) any postal article containing the newspaper or periodical shall first be opened by the Superintendent or a person appointed by him for the purpose; (b) where the outside page of any such newspaper or periodical is composed, in whole or in part, of advertisements, such advertisements shall be deleted before the newspaper or periodical is delivered to the prisoner.

(2) Books may also be received by prisoners through the post subject to the condition that the postal article containing the book shall first be opened by the Superintendent or any person appointed by him for the purpose and the delivery of such book to the prisoner may be refused by the Superintendent if, in his opinion, it is not suitable.

(3) In addition to newspapers, periodicals and books which may be received through the post, prisoners may purchase from their personal allowance newspapers, periodicals and books subject to the conditions laid down in sub-rules (1) and (2).

9. The Superintendent shall forward with such observations as he may think fit any representations which a prisoner may from time to time be desirous of submitting to the Chief Commissioner.

Provided that if there be anything in the representation which in the opinion of the Superintendent is objectionable or insulting, he may withhold and destroy the representation, but if he does so, he shall inform the prisoner that the application has been withheld.

10. (1) Any officer of the prison and any prison-guard may use a sword, bayonet, firearm or any other weapon against any prisoner escaping or attempting to escape.

Provided that resort shall not be had to the use of any such weapon unless such officer or guard has reasonable ground to believe that he cannot otherwise prevent the escape.

(2) Any officer of the prison and any prison-guard may use a sword, bayonet, fire-arm or any other weapon against any prisoner engaged in any combined outbreak or in any attempt to force or break open any gate, wire-fencing or enclosing wall of the prison and may continue to use such weapon so long as such combined outbreak or attempt is actually being prosecuted.

(3) Any officer of the prison and any prison-guard may use a sword, bayonet, fire-arm or any other weapon against any prisoner using violence to any officer of the prison or any other person:

Provided that there is reasonable ground for the officer or guard to believe that there is danger to the life or limb of the person who is being attacked or that any other grievous hurt is likely to be caused to such person.

(4) Before using fire-arms against a prisoner under the authority contained in sub-rule (1), the officer or guard shall give warning to the prisoner that he is about to fire.

(5) No officer or guard shall use arms of any kind against a prisoner, in the event of any outbreak or attempt to escape, without the orders of a superior officer when such superior officer is actually present and can be consulted.

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*SCHEDULE 1

The following newspapers, periodicals and magazines may be supplied to the detenus besides any magazines published in Great Britain (except those excluded under the Sea Customs Act):—

Newspapers:—The Statesman (daily), the Bengalee (daily), Pioneer (daily), the Leader (daily) of Allahabad, the Englishman (the present weekly edition), Illustrated Times of Indian (weekly), Hindi Bangabasi (weekly), Sanjibani (weekly), Calcutta Weekly Notes (weekly), Dacca Prakash (weekly), Bangaratna (magazine), Suniti (bi-weekly of Chittagong), Madaripur Bartabaha (magazine), Panchayat (weekly), Mymensingh Samachar (weekly), Tippera Guide (weekly), Rangpur Darpan (weekly), Hindu Ranjika (weekly), Khalsa Samachar (Amritsar), "Khalsa-to-Khalsa Advocate" (Amritsar), Khalsa Parchar Sewak (Tarn Taran, Amritsar).

Magazines:—Sonar Bangla, Masik Basumati, Bharatbarsa, Indian Review, Calcutta Review, Indian Medical Gazette, Manasi-o-Marmavani, Udbodhan, Krishak, Utsab, Matri-Mandir, The Indian Historical Quarterly, Bhandar, Krishi Sampad, Prabuddha Bharat, Buddhist India, Sangit Bijnan Prabesika, Saurabh, Hindustan Review, Homoeopathic Director, Economic Journal, Arthik Unnati, Pushpapatra, Bichitra, Galpa Lahari, Al-Aman of Delhi, Aftab, Haq.

11. Subject to the provisions of rule 10, the Superintendent may use or require to be used such force as may in his opinion be necessary to compel obedience on the part of any prisoner to any lawful order issued by him.

TREATMENT OF DETENUS IN DEOLI JAIL

Enquiries show that, in addition to the statutory rules that have been published, instructions regarding the treatment of detenus have been issued by the Chief Commissioner, Ajmer-Merwara. They contain various provisions which the Government holds are in terms of Sir James Crerar's undertaking "to reproduce conditions obtaining in Bengal in respect of diet and in respect of other conditions of detention." Each detenu is provided with necessary furniture of ordinary comfort including a light at night and a mosquito net. In addition to what is supplied by the Government, a detenu is at liberty to provide, at his own expense, such other furniture as may be consistent with his ordinary habits and the accommodation in the camp jail.

Each detenu receives a daily allowance for diet, and in addition a monthly allowance. He may wear his own clothes and, at the discretion of the Superintendent, extra clothes and bedding can be supplied by his friends or purchased from the monthly allowance.

Official circles claim that the diet fulfils all the requirements of respectable Bengali food. Reasonable quantities of fruits, cigarettes, pan and spices, within the daily allowance, are permitted. That scale is not rigid, and the wishes of the detenus may be taken into account. They are allowed to supervise the cooking of their food if they desire. Arrangements for indoor games have been made. Reasonable facilities are also given for the performance of private worship.

JAIL LIFE AT DEOLI CAMP

In spite of all the assurances given by the Home Member regarding the reproduction of conditions congenial to the Bengalis in the Deoli Camp where a number of Bengali detenus were transferred, the conditions in the Camp left room for improvement.

The following extracts from a letter written by Sj. Jnanendra Chandra Mozumdar from Deoli Detention Jail in Ajmer-Merwara to Mr. J. C. Gupta, Barrister-at-Law show the condition of jail life in the Camp. The letter had been censored and passed:—

Perhaps you are aware that we have been brought here a few days back. Life has become intolerable here. It is impossible for me to describe in this letter what suffering we have been put to owing to extreme unbearable heat. We complained to the Superintendent of this jail and requested him to supply us with khas khas screens and make arrangements for pulling punkhas but unfortunately the said officer replied that these were luxuries though he himself and his staff are enjoying the same in the office. As regards diet, the less said the better. No fish except occasionally inedible 'boal' fish are supplied. Perhaps you will be surprised to learn that no 'mustard oil,' so essential for the preparation of our diet, is being supplied. We get no vegetables except potatoes and sweet 'kumras' and the quality of 'ghee' is as bad as can be. There are no cooks except a few convicts who are quite ignorant of the art of cooking. As regards our accommodation here, it is so inadequate that it reminds one of a jute godown. It will be a long story to give all our hardships here and I don't like to take away your valuable time. Even a good barber, as is done in Buxa and Presidency Jails, has not been allowed us except one convict who is as good as a man in the street in the art of shaving, etc.

You have heard about the sad death of Mrinal Roy Choudhury. His state of health, the treatment he received at the Presidency Jail, the excessive heat and other conditions here and want of proper medical aid were too much for him to bear and he began to show signs of derangement whereupon the Superintendent took him outside the Camp in a segregation cell and where he was alleged to have committed suicide. While he was in the cell outside, none of us were allowed to go to or see him though some of his friends pressed for that.

DETENU COMMITS SUICIDE

Mrinal Kanti Roy Choudhury, a detenu in Deoli Camp (Ajmer-Merwara) committed suicide on June 5. Three members of the Assembly requested permission from the Government of India to visit Deoli Jail and investigate the circumstances connected with Mrinal Kanti's suicide. In reply Mr. C. W. Gwynne, Joint Secretary, Home Department informed that an inquest was held in the case by Major Davidson, an Honorary First Class Magistrate, whose verdict was that death was due to suicide by the neck being broken. The Government of India were satisfied in regard to the facts and regretted that they were unable to accede to the request for the enquiry.

The following is the full text of the finding of Major Davidson, Hony. Magistrate, First Class, who made an inquest on the dead body of Mrinal Kanti Roy Chowdhury on June 5 last under Cr. P. C., Sections 174 and 176:—

I give a finding of suicide by fracture of the spinal column of the neck by hanging with a rope, while in a temporary unsound mind.

I would add that I consider that the jail authorities did all in their power to alleviate the condition of the deceased at all times, and that I consider the chief cause of his act was apprehension of his bodily safety at the hands of his fellow detenus if sent back to live amongst them in the jail.

CLASSIFICATION OF POLITICAL PRISONERS

The classification of prisoners in connection with civil disobedience movement has been the subject of considerable comment among all schools of thought. The question of treatment to political prisoners was considered by a special committee of the Central Legislature and its recommendations resulted in the classification of prisoners by Government in three classes, namely A, B and C. Cases were cited where people, prominent in public eye and enjoying a high status in life, had been placed in the "C" class and appeals were issued by public bodies for revising the rules laid down by the Government of India regarding the classification of political prisoners and for issuing necessary instructions to the provincial governments. The Lahore High Court Bar Association drew the attention of the Punjab Government on the action of the Government in overriding the recommendations of the Judiciary in respect of "A" and "B" class prisoners. The Association passed a resolution requesting the Government to rectify the anomaly and injustice stating that in all civilised countries political prisoners were treated better than the criminals. The Association further stated that the Anglo-Indians and Europeans guilty of bigger offences were even treated better than the Indian political prisoners.

Western India National Liberal Association's Comments

The Western India National Liberal Association, in course of a Press statement on April 15 quoted Mr. H. W. Emerson's enunciation of policy in this connection in the Council of State which was subsequently reaffirmed by the Home Government of India in course of a reply to a question in the Assembly and also His Excellency the Viceroy's assurance regarding this as well as other points in his reply to the Council's representation regarding the working of Ordinances.

Commenting on these, the statement says that the classification recently adopted by the Provincial Governments including the Bombay Government showed conclusively that there had been a change of policy although the Home Member had said that there had been no change of policy. The Council felt constrained to point out that that change of policy is inconsistent with the assurances of the Government of India as stated above. The

which suggest that the prisoners in question were ordinarily quiet, well-behaved people who were seized and flogged for an isolated case of shouting national slogans. The facts are that it was necessary to inflict the punishment of flogging on certain ring-leaders who had for some time been concerned in a deliberate attempt to create trouble in the prison by shouting revolutionary slogans at night. Ordinary jail punishments were inflicted in the first instance and the ring-leaders were warned but as this warning was disregarded and further trouble arose on the 14th, the Superintendent of the Prison circulated a notice to all prisoners that the shouting out of slogans would be punished by whipping.

On the 19th April when the Quarterly Committee visited the prison the undisciplined conduct of certain Civil Disobedience prisoners was particularly noticeable and was resented even by other Civil Disobedience prisoners of the better class. On the evening of the 19th, after lock-up, Civil Disobedience prisoners in one barrack started shouting and screaming and the Superintendent went to the barrack and picked out 12 ring-leaders and had them removed to cells. The ordinary criminal prisoners in the barrack took no part in the disturbance. The declared intention of these ring-leaders was to defy the jail authorities and to make the enforcement of discipline impossible and it was essential that an example should be made of them. Accordingly, five were sentenced to receive 30 strokes but before the full punishment had been inflicted in any case the prisoners begged to be let off and the Superintendent remitted the rest of the punishment.

A prisoner in another yard also endeavoured to create a disturbance in spite of repeated warnings and he was also flogged. He too begged to be let off after 11 strokes had been inflicted and was released. Whipping in these cases was necessary in order to avoid the persistent repetition of a course of conduct which was likely to spread all over the prison and create an impossible situation for the staff. The Civil Disobedience prisoners must submit to jail discipline like any other prisoners; and aggressive, provocative and mutinous behaviour on their part will entail precisely the same punishment as would be inflicted on any other prisoners in similar circumstances.

WHIPPING IN FRONTIER JAILS

The whipping of certain prisoners in the Haripur Jail in the N. W. F. Province was discussed in the Frontier Legislative Council. The Inspector-General of Police in defending the actions of the police described the difficulties of jail officials in dealing with political prisoners and said that in Haripur Jail 3,000 prisoners had created such an anxious situation for the authorities that they had to choose between handing over the jail to the military and the whipping of ringleaders. "It is better that a few known ringleaders are whipped," he said, "than that a single innocent convict should be injured by firing that would be a logical consequence of any other course." He described how political prisoners immediately on coming to the jails shouted slogans, snatched food from convict distributors, rushed to sector gates whenever they were opened, refused to surrender clothes and abused the jail officials. He declared that they were non-violent neither in deeds nor words and if they ceased to create trouble for the jailors they could ensure for themselves all comforts under the Jail Manual. The Inspector-General stoutly defended the Frontier police and said that they were second to none throughout India in respect of loyalty and devotion to duty. They had manfully handled a situation, which they had been suddenly called upon to face, throughout the districts and if they did not always act too gently that was because they could not deal with organised lawlessness in that manner.

WHIPPING OF JUVENILES

The sentence of whipping inflicted on a boy of 15 years by the District Magistrate of Bombay was the occasion of a communication to the Government of Bombay by the Social Service League, Bombay. The General Secretary of the League in course of the letter wrote:—

"My Committee do not propose to enter into the legality of the sentence awarded nor to examine the merits of the case. But as a body composed of persons interested in social welfare, the League would like, purely on humanitarian grounds, to bring to the notice of Government the undesirability of awarding sentences of whipping to juveniles lest the effect of administering such sentences be to brutalise and embitter, for the whole

of their lives, the juveniles so punished. The punishment of whipping is normally restricted to serious offences involving moral turpitude, heinously criminal offences or sexual offences of a degrading type. Even then, there is a large volume of public opinion in this country as elsewhere, with which we are in agreement, anxious to get rid altogether of this method of punishment. In the opinion of my Committee, it represents a very serious departure from the policy hitherto pursued by Government to apply this demoralising form of punishment for offences of the nature under consideration. Interested as they are in social welfare, especially in the treatment of juvenile offenders, my Committee would request that Government be pleased to issue instructions that whipping, especially of juveniles, should not be resorted to."

In reply the Secretary to the Home Department informed:—

"The Governor-in-Council notes that the Managing Committee of the Social Service League do not desire to enter into the merits of the particular case but, on general grounds, wish to express their repugnance to the use of whipping as a punishment for juveniles in any circumstances whatever. I am to explain that Magistrates have discretion to award the sentence of whipping only in cases in which the existing law provides for it; and I am to say that, where such discretion exists, the Governor-in-Council does not feel it open to him to direct that any part of the Law shall not be used merely because its use does not accord with the sentiments of a section of the public. It is, however, open to your League, in common with any others who may share your views, to move the Indian Legislature to modify the existing Law on the subject."

PUNISHMENTS IN RAJSHAHI JAIL

Zeal in maintaining the official prestige led in some cases to revolt on the part of the prisoners which was promptly challenged by the jail authorities.

The punishments meted out to the political prisoners in the Rajshahi Jail formed the subject of resolutions passed by the Rajshahi People's Association on May 20 which ran:—

On hearing the statement of Mr. Kishori Mohan Choudhury, M.L.C., and a non-official visitor of the Rajshahi Central Jail regarding oppressive treatment, in the shape of gunny clothing, bar fetters, night hand-cuffs and self-cooking without proper quantity of fuel, etc., meted out to about 15 of the Civil Disobedience prisoners lodged in the Rajshahi Central Jail, this Association is of opinion that this sort of treatment is dehumanising and out of all proportions to the necessity for the maintenance of discipline and this Association, therefore, requests the Hon'ble Member-in-charge for a better and more humane treatment to these political prisoners.

That this Association regrets to learn from the said Kishori Babu that Sj. Ram Sundar Singh, a devout Vaishnav of Midnapore, now in this jail as Civil Disobedience prisoner, has not been allowed to wear his sacred 'mala' (a chain of beads) and 'tilak' even at prayer time and is of opinion that thereby the religious susceptibilities of the entire Hindu community have been wounded. This Association requests the Hon'ble Member-in-charge to see that nothing is done by the jail authorities in the name of maintenance of discipline which wounds the religious susceptibilities of any community.

PRISON LIFE AT BUXA CAMP

The inconveniences and incivilities under which the detenus in Buxa Camp suffered were revealed in the course of cross-examination of Mr. Llewellyn, I.C.S., Assistant Commandant of the Buxa Detention Camp in the case brought by Mr. Cottam, Commandant of the Buxa Detention Camp, against two detenus, Sjts. Purnananda Das-Gupta and Dhirendranath Mukherjee, on a charge of hurling sandals towards the Commandant. The witness admitted that after March 19, 1932, food allowance was reduced in consulation with the Medical Officer. He had complaints from some detenus that they were going without tiffin. On enquiry he found that early-comers usually took their full meals and in some cases more. They could not take their meals all at the same time and so those who came late, did find that nothing was left. There was a strong sense of disapproval against the method of search. He knew that Sj. Kalipada Guha Rai was punished for not allowing himself to be searched and also knew that Mr. Cottam, Commandant of the Camp, insisted upon searching a detenu after stripping him naked. This took place in a guard-room with closed doors in the presence of the witness, Commandant and an orderly. These

detenus were received in Buxa Camp from some police escort. He was of opinion that the search should be thorough. There was no modification of rules up till the time of occurrence.

As regards roll-call system the witness stated that the system he followed was to go round the barracks and wish the detenus good night. The system that the detenus should fall in at the parade ground has been introduced. Detenus protested against this new system and wanted the old system to be revived and offered their co-operation. Mr. Cottam did not agree to that. He knew of telegrams to the higher authorities protesting against roll-call. Some detenus who were getting medical diet in addition to their ordinary diet refused that facility in consideration of the other detenus who did not get that facility. Food allowance was reduced from Re. 1-10 to As. 12 and monthly allowance from Rs. 20 to Rs. 15.

HUNGER STRIKE AT SURI CAMP

The grievances of the prisoners remaining unredressed when brought to the notice of the police authorities embittered the feelings between the custodians and inmates of the jail. In some cases the estrangement was so complete as to culminate in hunger strikes which continued for days together to draw the attention of the public to the gravity of the situation. Fortunately these occurrences were few in number and were tactfully managed. The following details regarding the hunger-strike by some lady detenus at the Suri Jail are illustrative of the general grievances of the jail inmates. This information was supplied by the guardians of the lady detenus on hunger-strike.

The young ladies who were on hunger strike had been taken to Suri—not at one and the same time, but only in batches, but they were all accommodated in one room measuring roughly no more than 25 ft. by about 14 or 15 ft. A part of this was used as a store, and the remaining portion was occupied by their beds and some tables and other furniture. Evidently, for seven persons the room was far too congested. Besides it was not sufficiently airy, there being no windows and the south and the east sides being completely blocked. No one, who has not visited Suri during the hot months of March to May, can have any conception of the sufferings of the young lady detenus in the trying weather of these months. The ladies made a petition to the authorities praying for their transfer to some other jail. We are told that this petition was strongly supported by the authorities on the spot—the District Magistrate and the Superintendent who were in charge of the jail during the past 4 months. The petition was submitted in January, and they were assured by the Magistrate, that their transfer had been decided upon and would take place about the middle of April at the latest. The ladies waited patiently till the 15th April, but no orders of transfer came. They were then asked to wait for a short time more which they also did but this time they asked to be permitted to sleep outside the ward—on the veranda—so long as their transfer did not take place. But the authorities were not inclined to relax the lock-up rule. The ladies complained that it was impossible for them to sleep at night inside the room which was very hot, and said that they had given up taking any food at night as they had no appetite on account of passing sleepless nights. Thus when the detenus insisted on sleeping outside, the local authorities tried at first, with the aid of female warders to make them go and sleep inside. The ladies allege that on resisting, the help of twenty-eight male warders was subsequently requisitioned. Fearing insult, they then got up, went of their own accord into the room, and as a protest resorted to hunger-strike from that very night.

From the account given above, it would be clear to all that the ladies resorted to hunger-strike, not in any spirit of defiance of authority but in a mood of desperation The next day, the local authorities tried to induce the ladies to give up their hunger-strike but were unsuccessful. So the District Magistrate sent wires to the guardians of the ladies who started for Suri post-haste, some arriving on the 1st, and the rest on the 2nd May. The guardians saw the ladies, one by one, in the first place, and heard what they had to say. They also failed, however, to induce any one to take food. On the 2nd May some of the guardians wtnted to see all the ladies together, and address them. The local authorities fully entered into the idea and one of the guardians (Sj. G. C. Nag) present appealed to the ladies. It had the desired effect and the ladies agreed to break their fast if their grievances were removed. The matter came to a happy close with a promise made to extend the lock-up hour.

DIFFICULTIES IN VISITING JAIL

The difficulties experienced in having interviews with the political prisoners and detenus were formidable, the difficulties in the way of visiting the jails were almost insuperable. The following letter addressed by Ch. Baldeva, M.L.C., Meerut, to the Home Department, U. P. Government, Nainital, explains the position in which a jail visitor found himself:—

It is with a feeling of great pain and humiliation that I am writing this letter. Ever since I received G. O. No. 2600 vi 142-1931 circulated on 21.1. 1932, by which all the members of the Legislative Council who represent territorial constituencies were made ex-officio Jail visitors, I have been trying to visit the Meerut District Jail, but I am always being put off by the Jail authorities on one pretext or another. Indeed, it seems to me that the Jail authorities take pride in openly flouting the instructions given in various circulars issued by the local Government and in setting at naught the assurances of the Chief Secretary even. Their conduct seems very clearly to imply that the circular issued and the assurances extended are to be observed more in their breach than in their observance.

Now, in the first place, it seems doubtful to me that the Government letter, circulated on 12th January 1932, has not reached the Jail Superintendent even so late as 16th February 1932. If it did not, then the only reasonable inference that can be drawn from this omission is that the circular was only meant to be an eyewash for the public and was never intended to be given effect to, since the Jail Superintendent had not received the circular before the end of March 1932, and there could be no justification for his not then instructing the Jailor that such and such persons had been appointed ex-officio jail visitors and that they were to be admitted whenever they felt inclined to exercise their right, especially after so much correspondence on the subject. Even in normal times, such courtesies could be expected. But in these abnormal times when the atmosphere is surcharged with doubts and suspicions, these omissions, even though 'bona-fide' (which in this case they do not seem to be), are likely to be misconstrued.

For a long time I have been hearing all sorts of rumours in the city. These rumours of ill-treatment of political prisoners have gradually been gaining ground.

It was with a view to ascertain the truth or falsity of them that I wanted to visit the Jail on the 6th or 7th of April, when I was so very summarily refused on the pretext that I had not brought the written permission of the Jail Superintendent. To be able to know the true state of affairs I wanted to give a surprise visit.

To have tried to obtain permission beforehand would have nullified the very object of my visit. The local authorities by persistently refusing me admission into the Jail are forcing me to infer that their treatment of political prisoners is not what it should be. My object in trying to visit the jail was to know the true facts to contradict them if they were wrong, or to remedy them, if true. With that for my object I would now request you to kindly come to Meerut and see for yourself as to what is happening here in the local jail.

FIRINGS IN JAILS

Insubordination to the jail authorities on the part of prisoners unfortunately led to opening of fire in several detention camps and jails.

Firing in Phulwari Camp

The Bihar Government issued the following communique regarding Phulwari Camp Jail incident.

On the morning of April 1, two prisoners of Patna Camp jail were hand-cuffed for insubordination. This was made an occasion for demonstration by a number of prisoners inside the Jail Gate.

At midday when the guard were due to be changed the outgoing guard were unable to get out of the jail owing to demonstrators inside the gate barring their way. When the ingoing guard attempted to open the inner gate in order to relieve the outgoing guard, prisoners made a rush and some of the barbed wire fencing was torn up. The outgoing guard who were unarmed were hustled in the crowd.

The Superintendent of the Jail on hearing the noise came to the spot and ordered the ingoing guard to charge and clear the space inside the Gate. This was done and in the process several prisoners were slightly injured. The statement that prisoners were killed is entirely without foundation.

Firing in Fatehpur Jail

One prisoner was killed and several other injured as a result of firing which was alleged to have been opened in the Fatehpur District Jail at the instance of the jail authorities on June 5. This information was disclosed in a report which appeared in *Pioneer* of June 7.

It was alleged that many prisoners assumed a defiant and threatening attitude and combined to attack some of the jail officials whereupon several rounds of buckshots were fired. Of those who received injuries, besides one killed, the condition of some was reported to be precarious.

JAIL EVACUATION

To remove congestion in jails due to the large influx of political prisoners several hundred convicts who were undergoing imprisonment for criminal offences in the jails in the Bombay Presidency were released during April. In a communique the Government of Bombay pointed out that their orders provided that only prisoners who had completed one-third of their sentence, inclusive of remissions were eligible for release, provided that they had already served not less than three months. The orders definitely precluded the release of habituals and of persons convicted for rioting and kindred offences. Prisoners who did not behave well in jail were not released regardless of the nature of their offences or the length of their sentence or their age or state of health. The number of prisoners released was 2020, and it was not proposed to release any more at present.

A number of boy civil disobedience prisoners were also released from the jails in Bengal.

INDIAN LEGISLATIVE ASSEMBLY

PROCEEDINGS OF THE ASSEMBLY

THE Legislative Assembly which concluded its Simla Session on April 6, 1932, had an active business programme before it. Among other business done, the Legislative Assembly passed the Indian Air Force Bill, Broadcasting Bill, Bill to Validate Certain Suits, Sugar Industry Protection Bill, Foreign Relations Bill and considered the report of the Standing Finance Committee on the financial questions arising out of the proposed separation of Burma from India. The unsatisfactory reply regarding the attitude of the Government towards constitutional reforms for India also engaged the attention of the Assembly. An account of the proceedings follows date by date.

APRIL 1, 1932

CENSURE MOTION ON GOVERNMENT POLICY

The President of the Assembly informed members that he had received notice of two motions for adjournment of the House. The first was by Mr. Harbans Singh Brar to discuss the unsatisfactory reply of the Leader of the House (Sir George Rainy) to questions regarding the expediting of reforms with Mr. Gandhi in jail. The second was by Mr. B. Sitaram Raju to discuss the unsatisfactory reply regarding the attitude of the Government towards constitutional reforms for India which were awaiting decision.

The reply referred to above was in connection with a series of questions asked by Mr. Lalchand Navalrai on March 31, 1932, regarding a circular entitled " Secret European Circular "* (also known as " Royalists' Circular ") said to have been issued by Mr. Benthall.

ROYALISTS' CIRCULAR

* The text of the circular referred to above which was " very private and confidential " and was " not meant for publication in any way " is reproduced in the form it first appeared in *Advance* of Calcutta:

We give below a resume of Mr. Benthall's general remarks on the occasion when your Committee met him recently. No attempt has been made to summarise the discussion subsequent to Mr. Benthall's remarks, but it is proposed to invite Mr. Benthall to address a later meeting of liaison members, and we hope to ask him then to deal with any questions or criticisms submitted by members.

ANALYSIS OF MR. BENTHALL'S REMARKS

§ 1. Situation to be met at Conference.
§ 2. Conditions of debate difficult.
§ 3. Value of R. T. C. as educating (1) British public opinion, and (2) World opinion.
§ 4. Gandhi discredited with his Indian fellow-delegates.
§ 5. Gandhi returned to India empty-handed.
§ 6. Gandhi failed to settle the communal problem—result, the Minorities Pact.
§ 8. Attitude of Moslems.
§ 9. All outstanding points of difference between European representatives and their extremist opponents argued strictly on their merits.

In course of his reply Sir George Rainy stated:—

(a) Government have seen press accounts of the circular. They have no other information regarding it.

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§ 10. Important point of principle involved in Minorities Pact. Are the Europeans a "minority," or a colony of the British people resident in India?

§ 11. 'Commercial Safeguards'—In the main the 'substance' granted in a very satisfactory manner. The sanctions very much more important than the safeguards themselves.

§ 12. Position to-day. Attempts to whittle away the Report on Commercial Discrimination.

§ 13. An agreement or convention with Indian leaders to be greatly preferred to a restrictive clause in the Act. A tripartite agreement between Great Britain, India and Burma would have great advantages.

§ 14. Financial Safeguards.—The old safeguards stand unimpaired, but were barely discussed at the Conference.

§ 15. General Policy.—The fulfilment of the Federal Scheme as outlined at the first Conference. Congress and the Federal Chambers attacked it.

§ 16. Defects of Scheme, e.g. (1) Safeguards in connection with Police totally inadequate. (2) The Princes as a stabilising element a doubtful quantity.

§ 17. British Government's Indian policy must be a national policy to avoid dangerous reactions when Labour comes into power again.

§ 18. After the General Election the Government's policy undoubtedly changed. Attitude of European representatives to the change. Reasons for their attitude.

§ 19. The result was a promise of co-operation by 99 per cent. of the Conference including Malaviya. Even Gandhi was disposed to join the Standing Committee, but his hand has since been forced by his lieutenants. Question now whether saner elements of Indian opinion will stand for Conference method or not.

§ 20. Sir Hubert Carr's speech explained.

§ 1. We went to London determined to achieve some settlement, if we could, but our determination in that regard was tempered by an equal determination that there should be no giving way on any essential part of the policy agreed to by the Associated Chambers of Commerce in regard to financial and commercial safeguards and by the European Association on general policy. It was obvious to us, and we had it in mind throughout the Conference, that the united forces of the Congress, the Hindu Mahasabha and the Federated Chambers of Commerce would be directed towards whittling down the safeguards already proposed. It is so frequently stated that, in the effort to maintain a good atmosphere, the Conference lost sight of the realities that I think it well to preface my remarks by stating that in all our talks with our Extreme opponents, your delegates 'never once' lost sight of this essential fact.

And furthermore, we are prepared to challenge the closest enquiry into any assertion that we have given way on any important detail affecting either the position of our community or the general policy.

§ 2. I would first point out the extraordinarily difficult conditions under which the Conference was working. The avowed object of the Conference was to attain the maximum amount of agreement in shaping the lines upon which the new Constitution should be formed. We had first of all to pick our way through a maze of backstairs intrigue—lobbying is the polite word. The Committees themselves consisted of some forty persons, with another seventy to one hundred sitting round the room. There was no opportunity therefore for anything like negotiation when you had to shout at a man fifteen or twenty yards away. Speeches were largely set speeches, voicing set opinions and having in the majority of cases no influence 'at all' on the proceedings. It was impossible to contradict even a proportion of the misstatements made, and interpolation was not encouraged. If it had been, we should have been there still.

Those who spoke most frequently, longest and loudest, did not by any means carry the greatest weight. So in the circumstances we decided to speak as a delegation and, as far as possible, when we did speak to be definitely constructive.

§ 3. But in actual fact the Round Table Conference, in addition to its function as a vehicle for recording the constructive and destructive views of the delegates, had a second side. It was staged, as part of Great Britain's set policy, to demonstrate to India, to the people of Great Britain, and to the World that Great Britain was prepared to go as far as possible in the policy of progression by Conference methods.

It had a remarkable educative effect upon the people at home. It was surprising to see the interest taken in the Indian question by most improbable people and they were able, with the help of the Press, to appreciate better than they had ever done before how impossible some of the demands were that were put forward.

§ 4. If it did nothing else, it showed to the World the constructive vacuity of Gandhi's mind. Not only in London, but in Paris and Rome, those who came in touch with him found him quite incomprehensible, while in America as a newspaper attraction

(b) to (k) Government are concerned with other parts of the question only in so far as they relate to, first, the suggestion of bad faith on the part of his Majesty's Government as regards the Round Table Conference and their policy of constitutional

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the economic crisis pushed him off the front page entirely. And I suppose that never in his life has he been more laughed at or had more bricks thrown at him 'by his own countrymen' first on the occasion when he claimed to represent 95 per cent. of India, and, secondly, when he in effect claimed the rights as Congress, to examine every man's title to his own property, whether Indian or European, 'as Congress' to hale them before Judges and, if the Judges gave a decision unpalatable to Congress, to unseat the Judges. Not nearly enough has been made in this country of that speech, which was carefully edited in the Nationalist Press and which was carefully explained away by Malaviya next day.

§ 5. Not only that, but Gandhi lost enormous prestige with his own followers. If you look at the results of this last session, you will see that Gandhi and the Federated Chambers are unable to point to a single concession wrung from the British Government as the result of their visit to St. James's Palace. Whatever influence he has regained since, when he landed in India he landed with empty hands.

§ 6. There was another incident too, which did him no good. He undertook to settle the Communal problem and failed before all the world, the people who let him down 'not' being the minorities but his own Hindu Mahasabha party who openly repudiated him on account of their distrust of his intentions.

The result of the deadlock arising and of the Prime Minister's request to the Minorities to try to find the maximum possible agreement was the Minorities Petition of Rights or, as it was called, the Minorities Pact. That was largely the work of Sir Hubert Carr and Sir Edgar Wood; the signatories, namely, the Europeans, Anglo-Indians, Moslems, Depressed Classes and Roman Catholics claim to represent 46 per cent. of India, and by signing it we made firm friends with the Moslems and showed to the Conference that it was possible to attain agreement if people would be reasonable, and that we would without hesitation stand by our friends.

§ 7. We were candidly nervous of the reactions. Gandhi announced that the would "humble Hubert Carr to the dust." We thought for a while that any agreement on commercial rights was doomed. But it did not turn out that way. Although Gandhi started on the process of humiliating that very night by telling us that all Congress would grant was a gentleman's agreement with Congress—unsigned and undated—that attitude did not last long and the real outcome was an increased respect for our delegation and for the signatories to the Pact.

§ 8. One word about the Moslems. They were a solid and enthusiastic team; Ali Imam, the Nationalist Moslem, caused no division. They played their cards with great skill throughout; they promised us support and they gave it in full measure. In return they asked us that we should not forget their economic plight in Bengal and that we should, 'without pampering them,' do what we can to find places for them in European firms, so that they may have a chance to improve their material position and the general standing of their community. It is a request which in my opinion deserves very earnest consideration.

§ 9. It was part of our settled policy also patiently to discuss all outstanding points of difference between us and our extremist opponents. In these discussions it was our endeavour to argue each case strictly on its merits and in my opinion this policy bore fruit because, through the closer understanding reached, we were able to achieve a measure of agreement that would have been 'quite impossible' without the good-will engendered by these discussions. You may say, "Why did you waste your time on Congress?" I would answer, "If you go to a Conference and can convert your greatest opponent, you have won the day." We may not have converted them. But after all the new Indian delegates went to London mainly to attack the Commercial and Financial Safeguards and yet still the Commercial and Financial Safegards seem to stand as firm as ever.

§ 10. Now I will say very little as regards the Commercial Safeguards. There are a large number of points of detail which will require thorough discussion. There is one most important point of principle.

The Petition of Rights and the Report on Commercial Discrimination definitely place our community in the position of an Indian minority. Now, before we went to London, Mr. Walter Page raised the point that we were foolish to accept this position. We should stand purely as a section of the British people happening to be in India. I for one certainly did not then see as far as he did. There is much in it, and, in my opinion, the subject calls for a lot more earnest thought.

How, if we are a minority, can we justify special treatment in criminal trials, special auxiliary force units, etc., and, above all, how can we appeal to our Home Government on any basis other than that afforded to the other Minorities?

reforms for India and, second, the implication that action was taken against Congress not because of their activities but as part of a preconceived plan. In regard to the first, I would refer Honourable Member to the statement made by the Prime Minister on 1st

Shall we, in the long run, gain most by associating ourselves as closely as possible with India or by taking our stand clear-cut as a section of the British people?

Our legal advisers tell us the latter is the safer plan. Events have carried us in the other direction. Are the two irreconcilable? I will give no opinion, as the Community must examine the position and decide.

We have also got to decide what is to be our position in the Indian States. The States have said that we can have equal rights if we submit to State jurisdiction. I wonder what our legal advisers will say to that.

There are, as I said, many points of detail, some arising directly out of the report, some raised by Indian delegates. In due course I expect the various Chambers of Commerce and the branches of the European Association will examine these and consider the Community's attitude in regard to each.

§ 11. Meanwhile, it is noteworthy that, of all the Sections of the Round Table Report, that dealing with Commercial discrimination is the only one which begins with such words as "On this subject the Committee are glad to be able to record a substantial measure of agreement." I should like in this connection to draw attention to the very fair-minded manner in which so many of the delegates, both Hindu and Mohammedan, supported our just claims in this matter. As in the main we claim that the 'substance' of our demands is granted in a very satisfactory manner, that in itself would appear to be a subject for some gratification. It is also noteworthy that the question of citizenship was, at any rate for the time being, effectively disposed of.

But let us be under 'no' delusion.

We took the very best legal advice which we could on the subject. We had the benefit of invaluable advice from Professor Berridale Keith, Mr. Wilfred Greene, Sir John Simon, Lord Reading and all the principal law officers of the Crown, the India Office and the Foreign Office. Sometimes it is very conflicting and we had to pick our way very carefully; but we are very deeply indebted to all these people, who deserve our most hearty thanks.

All agreed of course that in the Constitution itself we should have the amplest safeguards which the brightest legal minds can devise. But I think all also came to the conclusion that in the long run and after the lapse of years no set words however carefully drafted could alone save us entirely from administrative discrimination by a purely Indian Government provided it was determined to discriminate. That is not my view only, or the delegation view, but the view of the best legal brains in England, and I think it was the view that the Chamber Committee arrived at after intense study four months ago.

But we delegates always appreciated and never once lost sight of the fact that the Sanctions or the powers to enforce the safeguard were of equal importance to the safeguard itself. It is the power of the Courts and of the Governor-General and Governors; it is the constitution of a properly balanced Government with adequately staffed services, and above all the maintenance of the British connection which is going to see us through. And in this connection it may be of interest that the Prime Minister and another member of the Cabinet both stated that the only two things which really interested Parliament were the safety and prosperity of their own countrymen in India and their trusteeship for the masses. Those two things they would never sacrifice. We are safe for the present. Nevertheless with all the safeguards and all the sanctions that we can devise we shall 20, 30 or 40 years hence more than ever depend upon co-operation and upon the power of the purse, and it is largely upon our handling of these Reforms questions firmly but justly that our position in India will depend "Forty years on."

§ 12. In spite of the large measure of agreement attained in London among the delegates, what is the real position to-day? Again, let there be no delusion. From the day the report was noted, some delegates have been steadily trying to whittle it down. On landing here I find not a little opinion in some Indian commercial circles that the Indian delegates agreed to too much. The view is put forward, too, that when we come down finally to brass tacks, Indian opinion will interpret some of the words in quite a different way to what we do. In brief, the determination to discriminate by some sections still exists and I would refer you to page 6 of 'Capital' of 7th January. Make no mistake. We cannot rest on our oars. Still, in so far as the leaders of Indian Commerce were largely represented in London, their objections can be tied down to those points raised at the Conference, and they are not necessarily of a deadly nature. But there is still grim work ahead of us.

§ 13. One last word on Commercial Discrimination. Although we may, I believe, be satisfied with the substance of the protection—and my belief is endorsed by the fact that the British Commercial bodies in Rangoon have endorsed it wholesale for application

December last which contains a full enunciation of the policy of His Majesty's Government. I would further remind him of the intensive efforts that have since been made and are now being made to expedite the progress of the reforms. I would also refer

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to Burma—the method of a protective clause is without doubt, inferior to a definite agreement or convention, 'if' the latter can be secured. A clause to cover everything must be immense and unwieldy and a clause cannot cover reciprocity. Also the sentiment of Indians even of the best type revolts against a restrictive clause and favours an agreement. It is my deep conviction that we shall do well to press on with our demand for this agreement and I do not think it is impossible to attain. Possibly, the Standing Committee to sit will afford us an avenue for detailed negotiation and settlement.

And what is more, I am sure that we must be carried back to our old idea of a tripartite agreement between India, Burma and Great Britain for tactical reasons if for no other. Mr. Haji, he of the Haji Bill, in London demanded a guarantee that there would be no discrimination against Indians in Burma. Mr. S. N. Haji said that Indians wanted a guarantee that there would be no discrimination. He urged that separate electorates should not be changed without their consent, and also asked that a member of a minority community should have the right of judicial appeal, with final appeal to Britain, against a decision of the executive which he believed deprived him of any right safeguard to him under the constitution. That, to my mind, coming from him of all people, is a beautiful piece of irony. I do not see that if a tripartite agreement were under negotiation how he or his colleagues could possibly oppose our claims. This little incident seems to point a clear course to us.

§ 14. I will say nothing much about Financial Safeguards. Briefly, the old ones stand unimpaired. But Indian opinion is not satisfied because discussion was barely allowed owing to the financial crisis. There was considerable agreement that an ultimate solution lies along the lines of the Statutory Finance Council: we are committed to that idea but we are 'entirely free' as to the details. The problem boils down to a financial one, how is India to find the money which she needs in the near future or to start her Reserve Bank if she is not to be linked with British credit? How is that partnership to be created and cemented? It is so demonstrably 'in the interests of India' that these safeguards should exist that we have as a matter of fact undertaken to try to get out a paper to prove to certain Indian delegates that they are so. There is no reason to be despondent of reaching agreement, which is so much more valuable than imposition, for at one stage after prolonged private discussion we induced even Gandhi to draft a safeguard of sorts, which was accepted by the Federal Chambers representatives. But there is plenty of work for our community to thrust home by hard argument this truism that financial safeguards are in the interests of India.

§ 15. With regard to the general policy followed, the main plank of our platform was the fulfilment of the Federal Scheme of the previous session, no more and no less. It was certain that Congress and the Federated Chambers would attack the scheme, and in particular Commercial and Financial Safeguards, and so it turned out.

§ 16. The scheme of course was barely sketched at the previous session. It has defects; many of them still exist. For instance, and this needs the most vigorous examination by our community, the Police Safeguards are 'totally inadequate' as they stand. Also it is by no means certain that the Princes will be quite that stabilising element which they were hoped to be. The Princes who will rush into Federation are the Congress-minded Princes and they will come increasingly under Congress influence once they come in. The Conservative Princes may stay out and may indeed be the real source of strength. Until they come in, their vacant seats should be filled by the Crown by virtue of its paramountcy.

§ 17. But on the whole there was only one policy for the British Nation and the British Community in India, and that was to make up our minds on a national policy and to stick to it. A policy which fluctuates according to whether a Conservative or Labour Government is in force is fatal, though it is as well to-day to remember that in five years' time we may once again have a Labour Government and the reversal of opinion may be just as violent as last year. The Labour Party machine is not broken, and harbours the bitterest of feelings.

When we arrived home the Federal Plan was the policy of the National Government, and the work of the Conference was to fill out the details and to resist any whittling down of safeguards. It was a sound policy, and one which would have the backing of all except some of the new delegates.

§ 18. For six or eight weeks the work went on: the Central Legislatures, Federal Finance, the Supreme Court and the Minorities occupied the time amid financial crises and a general election.

But as the result of the election the policy 'undoubtedly' changed. The right wing of the new Government made up its mind to break up the Conference and to fight Congress. The Moslems, who do not want Central Responsibility, were delighted. Government

him to the statement issued by His Majesty's Government on March 19th, 1932 and to the speech made by the Secretary of State in the House of Commons on March 24th, 1932. These contain a complete refutation of the first suggestion. In regard to the

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undoubtedly changed their policy and tried to get away with Provincial autonomy with a 'promise' of Central Reform.

What line were we to take ?

We had made up our minds before this that a fight with Congress was inevitable, we felt and said that the sooner it came the better, but we made up our minds that for a crushing success we should have all possible friends on our side.

The Moslems were all right; the Pact and Government's general attitude ensured that, so were the Princes and the Minorities.

The important thing to us seemed to be to carry the Hindu in the street as represented by such people as Sapru, Jayakar, Patro and others. If we could not get them to fight Congress, we could at least ensure that they would not back Congress, and that by the one simple method of leaving no doubt in their minds that there was to be no going back on the Federal Scheme, which broadly was also the accepted policy of the European community.

We acted accordingly.

We pressed upon Government that the one essential earnest of good faith which would satify these people was to undertake to bring in the Provincial and Central Constitutions in one Act. Provincial autonomy could not be forced upon India—the Moslems alone could not work it. Congress Provinces facing a British Centre present grave practical difficulties; each Province would be a Calcutta Corporation on its own.

But schemes for Provincial autonomy could be ready in a few months; Federation if hurried on to the nth must take two or three years, some say five to eight. If Provincial autonomy were ready, all waiting in the pigeon hole, there was little doubt that Madras, for instance, seeing Federation still far off, would demand immediate Provincial autonomy; that would be the beginning and the result which you could not force would be brought about by natural circumstances. But if you back this policy you must visualise and decide clearly how responsible Provinces, autonomous in their own sphere, are going to work transitionally with an autocratic centre. Remember that Gandhi himself at one time supported Provincial Autonomy only of a kind, as a means of bringing to a deadlock all relations with the Central Government.

§ 19. So we joined with strange companions; Government saw the arguments; and the Conference, instead of breaking up in disorder with 100 per cent. of Hindu political India against us, ended in promises of co-operation by 99 per cent. of the Conference, including even such people as Malaviya, while Gandhi himself was disposed to join the Standing Committee. But Gandhi's lieutenants in India proved too fast and jumped him To-day the work of the Conference seems wasted and the question of the hour is whether the saner elements of Indian opinion will stand behind Government for Conference methods. The Key lies in the hands of India's leaders but if they open the door, we must stand by to give it a push.

§ 20. In conclusion, I understand on return here that a good deal of feeling was caused by a condensed report of Carr's final speech, a speech fully approved of course by all of us

There is a saying, "Never explain: your friends don't need it, your enemies won't believe it."

But I stand here also to back a man who is not there to defend himself. To begin with, he only happened to be the spokesman. He is also a man who has unostentatiously and devotedly given of his best to our community, and as for his ability there is no man who better understands all the intricacies of our community's commercial and general position or who more stoutly defends them, or who better keeps his head. I may sum up my own opinion by saying, that if for any reason one delegate alone were to represent us, I would be perfectly content that the interests which I represent should rest in his hands alone.

Let us see what he actually said

"We should much prefer provincial autonomy instituted previously to any change in the centre, or even before it is decided on at the centre. We realise, however, while deploring it, that there is not sufficient confidence existing between India and Britain to-day, for India to be content with merely provincial autonomy and a declared intention of development at the centre. We are therefore united without fellow delegates in demanding that the whole framework of federation and provincial autonomy shall be determined at the same time. (Hear, Hear). We earnestly hope that provincial autonomy will be introduced province by province, the varying needs of each recognised in its constitution."

The word "determined" means solely that both the Federal Scheme and the Provincial Scheme shall be dealt with in one Act. The details and the time scale are entirely separate matters for discussion and decision. In that reading there is no differ-

second, there is no foundation whatsoever for the suggestion that the action taken against Congress was not determined solely and entirely by the situation created in India and particularly in the United Provinces and the North-West Frontier Province by their acti-

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ence from the policy laid down on page 3 of the Memorandum of Policy of the European Association.

There was no ambiguity either as to the meaning or the motive at the time. Looking back, to be absolutely explicit, it might have been wise after the word "therefore" to have added "and because it is our conviction that it is the right course" so as to make it clear here, 6,000 miles away, that there was no question of concession to clamour.

And if any further justification for the wisdom of that view-point and that action is necessary, let me read for close comparison the relevant passage from the Prime Minister's White Paper.

"The adjustments and modifications of the powers now exercised by the Central Government which would obviously have to be made in order to give real self-government to the Provinces should raise no insuperable difficulties. It has, therefore, been pressed upon the Government that the surest and speediest route to Federation would be to get these measures in train forthwith, and not to delay the assumption of full responsibility by the Provinces a day longer than is necessary. But it is clear that a partial advance does not commend itself to you. You have indicated your desire that no change should be made in the Constitution which is not effected by one all-embracing Statute covering the whole field, and His Majesty's Government have no intention of urging a responsibility which, for whatever reasons, is considered at the moment premature or ill-advised. It may be that opinion and circumstances will change, and it is not necessary here and and now to take any irrevocable decision."

The two statements are paraphrases of each other (I admit that the Prime Minister's was the better;) but the latter statement subsequently had the endorsement of His Majesty's Government and of both Houses of Parliament, including that of such men as Sir Samuel Hoare, Lord Hailsham and Sir John Simon. If therefore we erred, it must be admitted that we erred in good company.

We draw members' attention to the following points:—

1. The Minorities Pact has produced a large measure of unity amongst the minorities.

2. The Moslems have become firm allies of the Europeans.

3. The success of the Federal scheme depends on the support of a majority of all communities. Neither Provincial Autonomy nor Federation could work in the face of 100 per cent. Hindu opposition. The extreme Hindus, i.e., Congress, Hindu Mahasabha, and Federated Chambers of Commerce, are irreconcilable, but there are Hindus whose support it is worth trying to secure in the hope that they will eventually form the nucleus of strong moderate parties.

4. It is essential to decide whether we are to be treated as a minority community or as representatives of the British in India. The latter course appears to be more desirable as it would, apart from other considerations, enable us more easily to call upon the Imperial Government for support. It must be recognised, however, that such an attitude has disadvantages; it might lead to dangerous isolation. The Minorities Pact has led away from rather than towards such a position, as it commits us as a minority.

5. Although Provincial Autonomy may be introduced rapidly where provincial conditions admit, the granting of any tangible measure of responsibility at the Centre will depend chiefly upon the success of the Provinces in working Autonomy. It will be remembered, however, that Gandhi was prepared to accept Provincial Autonomy of a kind without any advance at the Centre, because he proposed that the autonomous provinces should paralyse the autocratic Central Government. To guard against this danger, it seems as though some modifications at the Centre will be essential, and it remains to be seen whether these modifications can be made without any real transfer of power. It must be our aim to secure that the transfer of power only takes place after everything else has been dealt with.

6. Throughout his statement Mr. Benthall refers to Financial Safeguards and Commercial Safeguards. These are shortly as follows:—

FINANCIAL SAFEGUARDS

(a) The formation of a small Finance Council to advise the Finance Member and the Governor-General in regard to finance. (b) Formation of non-political Reserve Bank. (c) Strong Upper Chamber. (d) Consolidated Fund to meet loan, salaries and other charges guaranteed by Secretary of State.

COMMERCIAL SAFEGUARDS

(a) The European Delegation demanded a commercial convention to cover every outstanding point, but owing to difficulties raised in London this matter still remains unsettled. Meanwhile it is proposed that there shall be a guarantee under the Act

vities. In this connection I would refer Honourable Member to the statements issued by the Government of the United Provinces on 14th December, 1931, by the Chief Commissioner of the North-West Frontier Province on the 24th and 30th December, 1931 and by the Government of India on 4th January, 1932.

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to safeguard the rights of property and the rights of British Commerce. (b) European demands for safeguards for personal rights including trial by jury, are secured under the Minorities Pact. (c) Power in hands of Viceroy and Governors to reserve bills for the sanction of Parliament (this would cover every class of discriminatory bill). (d) Right of appeal to the Privy Council.

We think that the result of the Conference may be summarised shortly as follows:—

The European Delegation has succeeded, in impressing upon the British Government, the absolute necessity for our essential safeguards, though it experienced a good many difficulties in doing so. Furthermore, these safeguards have been accepted by the Moslems and the moderate Hindus, and even the extremists have been less strongly opposed to them than heretofore. On the other hand, the extremists are clearly determined on de facto discrimination.

The Moslems are very satisfied with their own position and are prepared to work with us in the future on a basis of mutual support, and there is some hope that the moderate Hindus will do the same if they realise that Government at last means what it says and stands firm. On the other hand it must be remembered that the moderates are at present without any following whatsoever.

As against this, the actual scheme of reforms is very vague indeed and a great deal of work has still to be done—more, if anything, than that already accomplished. For this reason it is essential that European opinion should be well organised and well informed during the next few years. It is most important to bear in mind the point raised by Mr. Benthall that there may be a political landslide in the opposite direction at Home in five years' time, i.e., we may again have a Labour Government. The right policy therefore seems to be that followed by the European representatives at the Conference. If we merely adopt an 'intransigent non-possumus' attitude we may in five years' time find ourselves thrown to the wolves by an extreme Socialist Government. If, on the other hand, in the course of the next five years parts at least of the scheme are worked out by the National Government and agreed upon by Indians, it will be very difficult for a Socialist Government to upset those agreements. Judging by what Mr. Benthall says, it may be possible to secure a commercial convention within five years. A policy which swings violently from extreme to extreme will be fatal alike to our special interests and to the peace of the country.

We should like to see the following points secured:—

1. The measure of responsibility at the Centre must depend, among other things, upon the success of Provincial Autonomy after a fair trial, and there must be no attempt at an immediate grant of Central Responsibility.
2. The position of the Central Government must be strengthened in order to prevent any possibility of open defiance of the Central Government by the Provinces, and no inauguration of Provincial Autonomy can be contemplated till this strengthening has been achieved.
3. Each Province must be given ample time to settle its own problems, and its participation in any scheme of federation should, we believe, depend upon the voluntary settlement of those problems.
4. Any attempt at an increase in the rate of Indianisation of the Services, particularly the I. C. S. and the Police, must be strongly opposed.
5. So far as possible the railways and ports must be removed from political control.
6. Voluntary settlement of the communal problem is an essential prelude even to Provincial Autonomy. If an imposed settlement has ultimately to be made it would not embrace anything approaching complete Provincial Autonomy.

In this summary we have assumed that the great majority of members are in agreement with the principle that reform of some kind must be introduced. We are aware that a certain proportion of Europeans are opposed to any advance whatsoever. We would remind all such that the present system of Government is as weak and cumbersome that it is positively dangerous to allow it to continue. Dyarchy has heavily loaded the dice in favour of the Hindu and sets a premium on unconstitutional agitation and has made it extremely difficult for the Central Government to act forcefully and quickly except under special ordinances.

It must not, however, be supposed that when we agree that reforms are necessary, we advocate democratic reform in every province.

All we mean is such change in the system of Government as will in time prove its efficiency.

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Following the answers of Sir George Rainy there was a series of supplementary questions:—

Mr. Joshi wanted to know how the policy of the Government changed after the elections in England.

Sir George Rainy:—"I see no obligation resting on Government to explain circulars attributed to particular private individuals."

Mr. Neogy asked what responsibility the Government of India had in the selection of Mr. Benthall to the Round Table Conference.

Sir George Rainy:—"Selection is made by His Majesty's Government and not by the Government of India."

Mr. Neogy:—"Will the Government of India represent to His Majesty's Government that Mr. Benthall has misrepresented the objects with which the Government at home is actuated in regard to the reforms?"

Sir George Rainy:—"You are assuming that Government have any knowledge whether this article correctly ascribes a certain portion to Mr. Benthall. Government have no such knowledge."

Mr. Neogy:—"Then will the Government of India ask the Government in England to write to Mr. Benthall?"

Sir G. Rainy:—"We see no reason for taking any such action."

Mr. Neogy:—"Am I to understand that the answers to this question are being given without reference to His Majesty's Government?"

Sir George Rainy:—"No disclosures are ever made as regards communication between the Government of India and His Majesty's Government."

Sardar Sant Singh:—"Is it a fact that Mr. Benthall, as he says, consulted the best legal opinion of the law officers of the crown, of the India Office and of the Foreign Office? Who pays the counsel—India or the Home Government?"

Sir George Rainy:—"I have no information."

Mr. Navalrai:—"Who is this Mullock who has subscribed to Mr. Benthall's article?"

Sir George Rainy:—"No idea."

Mr. Biswas:—"Is it not a fact that a refusal to supply answers is more eloquent than the reply given?"

CENSURE MOTION—A MATTER OF URGENT PUBLIC IMPORTANCE

Reverting to the business on April 1, 1932, after the President had informed the House of the two adjournment motions, Sir George Rainy pointed out that as regards the first it was not a matter of urgent importance within the meaning of the Standing Order. When, in the course of a series of supplementary questions the day before, he was asked a question suggesting the release of Mr. Gandhi, he did not raise any objection on the ground that it was out of order because he thought that the policy of the Government was well known to the House. That policy remained unchanged. There was, therefore, no new element in the situation.

Mr. Harbans Singh Brar maintained that it was an urgent matter as it arose out of the answers of the day before.

Mr. C. S. Ranga Iyer said that the object of the motion was to discuss the Government's attitude in proceeding with the reforms in the light of Mr. E. C. Benthall's circular and with Mr. Gandhi in jail.

The President held that the motion was on a matter of urgent public importance but, he said, it was for the House to decide whether discussion should be on the single point raised by Mr. Harbans Singh or on the general question of Mr. Raju. More than 25 members stood up for the first motion.

MR. BRAR MOVES CENSURE MOTION

Mr. Harbans Singh Brar moved: "The House do now adjourn to discuss the unsatisfactory reply of the Government that would expedite reforms with Mr. Gandhi in jail." The mover said that so long as repression continued reforms would not be acceptable to a majority of Indians, and even if they were put into force, they would never work. He referred to Mr. Benthall's statement from which, he said, it appeared that there was a serious conspiracy to put Mr. Gandhi in jail and to prevent India from getting real responsibility.

DEBATE ON THE MOTION

Mr. B. Das said that when Mr. Gandhi was arrested the public suspected that there was some conspiracy behind it in England and India. Mr. Benthall's statement had proved it. The President asked the speaker not to refer to the circular but to confine himself to the motion. Mr. Das continued that it was apparent that while Mr. Gandhi was carrying on negotiations, plans for his arrest and for fighting the Congress were being laid deep. He would rather have the reforms postponed and let the Diehards have their way. He was indignant at Mr. Benthall's remarks about Mr. Gandhi's constructive vacuity of mind when Mr. Gandhi was so much respected by his countrymen as a perfect and super-man. He also characterised as false the statement that Mr. Gandhi and the Federation of Indian Chambers of Commerce were all allied to down the British commercial interests. He added that, without peace with Mr. Gandhi, no progress was possible.

Mr. Arthur Moore commented on the fact that Government was to be censured for its earnestness in hastening reforms. (Laughter.) Mr. B. Das had censured them for conspiracy as disclosed by Mr. Benthall's circular, although that circular had been issued by the Royalists' Association. The member had not completed the sentence when he was stopped by the President who reminded him that the circular could not be discussed. The motion, the President explained, was to censure the Government because they were keeping Mr. Gandhi in jail and hurrying the reforms so that the reforms required by Indian may not be conceded. The accused was the Government. Mr. Moore then said that Mr. Benthall had communicated to him that the circular was accurate in substance and that it was in no sense secret. Mr. Moore was proceeding when the President reminded him also that he could not allow the circular to be discussed. Mr. Moore replied that he wished to repudiate the charges made by Mr. B. Das but resumed his seat in view of the President's ruling.

Mr. Sitarama Raju said he was not a Congressman nor did he entirely accept their programme. Still he thought that if there was to be a satisfactory solution acceptable to all, it could only be obtained by the co-operation of all progressive parties in the country.

Haji Abdulla Haroon, opposing the motion, said that any Government worth the name would have acted in the same manner as the Government of India had done in the face of the ultimatum issued by Mr. Gandhi soon after his return to India from the Round Table Conference. No one would object to the proposal of Mr. Raju that the co-operation of all parties should be secured for solving India's problem. If the Government had kept quiet and had made no effort to give reforms, even then the same members who had raised the question to-day would say that the Government were not enthusiastic about reforms for India.

Mr. B. V. Jadhav, supporting the motion, sympathised with Government members in their position of "mere puppets" in the hands of the "great Moghul" at Whitehall. Events during the past ten years, he went on, had been undermining what little trust the people had in the Government. A great revolution had occurred in England by which Conservatives and "Die hards" had seized office, and since then a deep-laid conspiracy had been hatched to suppress the Congress movement. When the delegates to the Round Table Conference were hearing the Premier's statement, there were communications between the Home and India Governments to take severe steps to suppress the Congress. He had promised in England that when he returned to India, he would educate public opinion about the good intentions of the Government but events in this country read in the light of Mr.

Benthall's statement had completely shattered his hopes and he had been disillusioned about the *bona fides* of the British Government's intentions towards India. In whatever way the reforms were framed, he had grave doubts whether they would be workable with popular leaders in jail.

SIR GEORGE RAINY OPPOSES THE MOTION

Sir George Rainy, on behalf of the Government, opposed the censure motion. Was it the intention of the Opposition, he asked, that there should be no expediting of reforms and that Congressmen should continue in jail? The Government's was a dual policy; to put down the lawless movement and accelerate the reforms The Government knew full well that it was no use proceeding with constitutional reforms with Congressmen in jail and that was the reason for the Delhi Pact. Then there was the Round Table Conference in which the Congress participated. But what happened was known to all. The situation in the United Provinces and the Frontier compelled immediate action on the part of the Government. The Government would have failed in their duty if they had not taken the action they did. They were reluctant to take it but they were compelled by force of the circumstances in the United Provinces and the Frontier to take it. If they had not done so, there would have been a catastrophe in which the whole country might have been involved. Continuing, Sir George Rainy, on behalf of the Government, strongly repudiated any allegation that their action in attempting to put down the pernicious activities of the Congress was influenced in any way by anything that passed in London. As Lord Willingdon stated in his opening speech in the Assembly, the Government were determined to see that no revolutionary activities hampered the work of reforms. If Congressmen were released now, what guarantee was there that their release would not lead to a revival of those subversive activities which very nearly brought India to the brink of a catastrophe and that India would not be landed back in a worse condition? Concluding, Sir George Rainy struck a personal note on this subject and said that he was not and would not be a party which would seriously injury India's cause.

DEBATE CONTINUES

Mr. C. S. Ranga Iyer agreed that Sir George Rainy was sincere towards India but what was the use of his or any other Member of the Government's being sincere when they belonging to the subordinate branch of the British administration were ordered by Whitehall to act otherwise? What Sir George Rainy did last year in bringing about the Delhi Pact had been broken by Sir Samuel Hoare into a policy of expediting reforms and suppressing Mr. Gandhi and the Congress, as was borne out by Mr. Benthall's letter.

Mr. Arthur Moore objected to the reference to Mr. Benthall's letter which had been excluded from the discussion.

Mr. Ranga Iyer said he had greater authority than Mr. Benthall. It was Mr. Winston Churchill and Sir Samuel Hoare.

Mr. Arthur Moore again objected to Mr. Ranga Iyer's labouring the same point as Mr. B. Das in suggesting that there was a change of policy after the elections, when, as a matter of fact, a Conservative Government carried on the policy of a Socialist Government.

The President pointed out that without directly referring to Mr. Benthall's letter, it was open to any member to suggest that the reason for Mr. Gandhi's being in jail was the change of Government in Britain after the elections in England.

Mr. Ranga Iyer, proceeding, affirmed that what India wanted was unmitigated reforms, besides the withdrawal of the "repressive policy." How could they expect that when Mr. Gandhi, who was worshipped by the

people, was refused an interview by the Viceroy under dictation from Whitehall?

Sir George Rainy challenged this statement.

Mr. Ranga Iyer advised the Government to regard Mr. Gandhi as the leader of the right wing.

Mr. S. C. Mitra opposed the motion, because the country had not suffered much as to compel Government to yield to the popular opinion.

A Voice: When will that be?

Mr. Gandhi, continued Mr. Mitra, wanted complete Dominion Status and this the Government would not give. Mere provincial autonomy even with partial element of responsibility in the Centre would not satisfy the public.

DEMAND FOR CLOSURE

At this stage repeated demands were made for the closure and the President put the closure motion to the vote. There were 48 for it and 34 against. Fifteen members, belonging to the Independents and the Central Moslems, were neutral; Mr. Amar Nath Dutt, accompanied by Mr. Harbans Singh, Sardar Sant Singh, Mr. K. C. Neogy and Mr. Gunjal walked out.

MOTION LOST

There was no mover to reply to the debate. The censure motion was lost without division.

CLASSIFICATION OF PRISONERS

Answering Mr. Ranga Iyer regarding the classification as prisoners of ex-M. L. A.'s convicted in connection with civil disobedience. Mr. Haig said that there had been no correspondence or general question between the Government of India and Local Governments. The Government of India ascertained the facts in a particular case from one local Government. The classification of convicted persons depended partly on the nature of the offence and partly on the mode of living as determined by social status, education and habit of living. Generally, the classification was the function of the courts subject to the confirmation and review by the local Government concerned. Hence it would be inadvisable to issue general instruction that they be treated as "A" class prisoners. But he felt no doubt that the fact that a person had been a member of the Indian Legislature or local Legislature was taken into consideration with other facts by the courts and by local Governments. No instruction had been issued or were under contemplation to give "A" class to ladies convicted in connection with the civil disobedience movement since that would be contrary to the principles which governed the classification of convicted persons.

Mr. Haig was then bombarded with supplementaries.

Mr. Ranga Iyer suggested separate classification as political prisoners.

Mr. Haig said it was not possible to establish such classification.

Mr. Ranga Iyer then suggested a committee to enquire into the disadvantages of mixing up all prisoners together.

The Home Member expressed inability to accede to the request.

Mr. B. Das alluded to the case of Mr. Dwarka Prasad Misra, ex-M.L.A., who was given "B" class.

Mr. Haig said on this matter the Government of India already had correspondence with the C. P. Government and there was no use pursuing the matter.

SUGAR INDUSTRY PROTECTION BILL

Resuming the discussions on the Sugar Industry Protection Bill, Sir George Rainy explained the salient features of the changes made by the

Select Committee and pointed out that the industry would be protected until March, 1946, and that until 1938 the basic duty of Rs. 7-4 per cwt. would be maintained. Thereafter there would be an inquiry not to decide whether there should be protection but to decide the rate at which protective duty should be fixed. Meanwhile, if there were any changes in prices at which imported sugar was sold which would impair the effect of the protection now proposed, the Government would increase the duty to the extent justified.

Mr. E. F. Sykes moved an amendment for postponement of the Bill until the September session of the Assembly. He explained that it had not been possible to obtain the opinions of *gur* manufacturers in the short interval between reference of the Bill to a Select Committee and its consideration by that Committee. Even up to to-day, he said, the opinions of *gur* manufacturers, who were principally concerned, had not been sufficiently obtained to enable a decisive view being taken.

The high rate of duty on sugar, he went on, had led to a decrease in consumption, which in certain cases was made up by the fall in prices. Already there was an effective protection in the Finance Act, together with a surcharge of 25 per cent. Therefore nothing would be lost by postponing consideration of the measure until the September session.

Further consideration of the Bill was then deferred for the following day.

FOREIGN RELATIONS BILL

The debate on the Foreign Relations Bill was resumed next. It may be recalled here that the Foreign Relations Bill was first introduced in the last September Session of the Assembly. The object of the Bill was to prevent the publication of statements likely to promote unfriendly relations between the Government and Foreign States. The Bill was referred to a Select Committee which amended the substantive clause so as to bring the offence under chapter 21 of the Indian Penal Code (defamation) and defined the persons, whose defamation would come within its scope as a ruler of a State but adjoining India or a member of the family or a minister of such ruler. The Bill as emerged from the Select Committee was placed for consideration before the Assembly on March 31, 1932. The debate on that date is given below for reference:

PROCEEDINGS ON MARCH 31, 1932.

Sir Evelyn Howell, moving the consideration of the Foreign Relations Bill as it emerged from the Select Committee, said that in September there was a consensus of opinion in the House that Government should take an early opportunity of stamping out libel on Foreign States. Personally he would have preferred the preamble of the Bill in the original form, but he accepted the change made in the Select Committee provided it was understood that the whole Bill was not rendered nugatory by making it impossible for any prosecution ever to succeed because he wished to emphasise that there was a real danger. Its scope was now confined to defamatory articles against the Rulers of a certain small number of States whose territories adjoin the land in the frontiers of India and certain persons in close connection with those Rulers either as members of their family or as principal Ministers of their Government. It placed the Rulers of these States on precisely the same footing regarding defamatory articles as private British subjects except that the Governor-General would take action on their behalf. In respect of penal code and procedure, the offence falls within the established code and the procedure with a small exception, that whereas in the penal code it could be only simple imprisonment, here it might be either simple or rigorous. With this exception, the Bill was in general conformity with the principles of the English Common Law, and Statutes resembling it were enforced in nearly all civilised parts of the world.

Motion for Circulation.

Dr. Ziauddin Ahmed moved that the Bill, as reported by the Select Committee, be circulated for opinion by first August. He referred to Sir George Rainy's promise

on the last occasion that if the Bill was referred to a Select Committee then it would be circulated by executive order for opinion.

Sir Lancelot Graham and Sir Evelyn Howell informed Dr. Ziauddin Ahmed that this precisely had been done and the opinions received from High Court, and Bar Associations were placed before the Committee.

Dr. Ziauddin Ahmed: I want to know if it was circulated to the public ?

A voice: You mean all 350 millions of people. (Laughter).

Proceeding, Dr. Ziauddin Ahmed agreed that the Bill, as it emerged from the Committee, was a very much modified one, but he wanted to know from the Foreign Secretary whether a person who criticises the ruler of an adjoining territory for any action taken by him in respect of Muslim religion would be proceeded against. Whatever be the reply, Dr. Ziauddin though that the bill at this juncture would create a wrong impression in the public mind that the Government were out to muzzle the press and the public.

The Debate.

Sir Abdur Rahim supported the circulation motion of Dr. Ziauddin because the Bill, as it had emerged from the Select Committee, was a different one from the Bill introduced and created a new offence which could not be discussed fully at the fag end of the session. If they wanted a Bill of this character then they must limit it to cases of defamation. The Penal Code was comprehensive enough to take cognisance of any such offence. The framers of the Penal Code, who had received encomiums of jurisdical part of the world, had deliberately refrained from including any such provision as was now sought. It was difficult to define defamation when it was particularly against the Rulers in the East (laughter). Dr. Ziauddin's speech indicated that only the Muslims in India would be affected. But that was not so. Most of the Rulers of the adjoining territories were Muslims and therefore it was likely that Hindus might be the accused persons rather than Muslims.

Dewan Bahadur Harbilas Sarda supported recirculation because it was a wide measure.

Mr. Sitarama Raju said that the Bill was neither fish nor flesh nor good red herring. It was neither in accordance with the practices of civilised countries nor in consonance with the international law. The House had from the beginning been opposed to the principle of the Bill which was not legal but political.

Mr. Ranga Iyer was opposed to recirculation because the present Bill was a great improvement on its predecessor. If any further improvement was needed it could be made on the floor of the House. He did not commit the nationalists by his views.

Mr. Yamin Khan said that no religious objection could be taken to the Bill which had been considerably modified.

Syed Murtaza said that the liberty of the press was already curtailed and this would take it away further.

Mr. N. N. Anklesaria said that the English law penalised such writings and was not obsolete as the last prosecution in England took place in 1905 and not a century ago as Mr. Raju had stated.

Mr. Gayaprasad Singh said that he, as a member of the Select Committee, was a party to removing most of the objectionable features of the Bill. If they had committed a mistake, he would gladly change opinion but thought that no purpose could be served by recirculation.

Ahmed Shah Nawaz, speaking from the point of view of the Frontier Province, emphasised that such a Bill was most vital for maintaining friendly relations with neighbours.

Mr. Lalchand Navalrai explained that opinions, promised by the Government, had been obtained and spoke at length on the various objectionable provisions of the Bill and how changes had been made by the Select Committee.

Mr. Sadiq Hassan said that Government were becoming daily more and more irresponsible and desirous of curtailing liberties through such absurd measures. This was possible only because the best element in the country was non-co-operating with the Government.

A voice:—"We are quite representative."

Mr. Sadiq Hassan said that if Radicals had stood, they would have little chance. At any rate if Radicals had been there, Government would have felt restrained in bringing forward such silly measures.

Foreign Secretary's Reply.

Sir Evelyn Howell, replying on the debate, said no technical or constitutional reasons had been given to justify the need for further circulation. He assured the House that there was a real need for the measure. He gave instances of how the Foreign Relations Ordinance promulgated last year enabled Government to have the "Zamindar" of Lahore convicted thrice and its Editors imprisoned, how the "Kesari" apologised, and the people and the Afghanistan newspapers were punished. The result was that since the

Ordinance terminated newspapers had been quiescent, but that was because Government had taken firm steps at once to stop this mischief. He assured Sir Abdur Rahim, that the Bill did not create a new offence. "It does nothing but make a slight alteration of the procedure whereby persons hitherto debarred from access to our courts can have a remedy which the law provides for all and sundry." As regards Aden and the small protectorates, he was prepared to meet Sir Abdur's objection by omitting Aden from the list if such an amendment was moved. Continuing, the Foreign Secretary said Mr. Raju had quoted from writings of an obscure writer in England in 1904 who suggested wiping off the German fleet and that from that day the German Emperor was angry, but the British Government took no action. Sir Evelyn Howell commented, "I submit that if that writer had been muzzled, the Great War might perhaps have been deferred." (Hear, hear and laughter.) Sir Evelyn Howell said a speaker had quoted from a civilian's opinion that libels on the Boer President were allowed, but did not quote further that that led to the Boer War. He asked "Which is the greater evil, to have an unnecessary war or muzzle an ill-informed journalist on one occasion and on one subject which does not concern him and he does not understand ?" He held that the amendment made by the Select Committee would go too long to meet the objections of that civilian and of the Chief Presidency Magistrate of Madras. Similarly, Mr. Murtaza had quoted the objections of the Shia Association, but these had been met because the Hedjaz had been excluded. He assured the House that foreign rulers being human beings would not care much about attacks on their third or fourth cousins or minor officials, but the consequences would be dangerous, if on any occasion an attack was made and the Government of India said they had no power to intervene. A ruler might turn round and say that when Indians visited their land he would see they were not comfortable. There was such a possibility and he hoped the House would reject the amendment.

The House thereupon rejected the amendment and agreed to take the Bill into consideration.

An Amendment of Clause Two

The Foreign Secretary moved an amendment substituting in place of clause two the following: "Where an offence falling under chapter 21 of the Indian Penal Code is committed against a ruler of a State outside but adjoining India or against any member of the family or against any minister of such ruler and in the opinion of the Governor-General-in-Council the maintenance of friendly relations between His Majesty's Government and the Government of such State may thereby be prejudiced, the Governor-General-in-Council may make or authorise any person to make a complaint in writing of such offence and notwithstanding any thing contained in section 198 of the Code of Criminal Procedure, 1898, any court competent in other respects to take cognisance of such offence may take cognisance thereof on such complaint."

Mr. Yamin Khan supported the amendment as it would avoid more harmful and injurious prosecutions.

Dr. Ziauddin, opposing, said that the Foreign Secretary himself had admitted that since the expiry of the Ordinance there was no offence committed by anybody. It would be unwise on the part of Government to displease their own people in order to please a neighbouring country.

Mr. Anklesaria supported the amendment as it created no new offence.

DEBATE ON FOREIGN SECRETARY'S AMENDMENT

When the debate was resumed on April, 1 on the amendment of the Foreign Secretary to the Foreign Relations Bill, substituting another clause in place of clause two, Mr. C. C. Biswas said that it was admitted that no question of international law was involved. The reason shown in the new clause was utterly groundless. Why should Government have anything to do with any person who was outside British India and was not likely to come over to that country to seek a remedy. There was also the danger of imputing a motive of favouritism on the part of Governor-General-in-Council towards any ruler.

Sir Abdur Rahim asked why should there be any difficulty on the part of a foreign ruler or representative to make a complaint in a British Court personally or through some representative if he had a grievance against any press or citizen. Once a complaint was made by whomsoever it might be, the whole question was open to decision whether an utterance was likely to prejudice foreign relation or not. It was too much to accept the position of solicitude on the part of Government to protect the reputation of a certain foreign ruler or his minister or a member of his family. It would be more

disastrous if Government were to penalise reasonable criticism from the public point of view.

Babu Gaya Prasad Singh thought that the authority to decide whether a particular action was offence or not was the court. It would be dangerous to give the executive the power asked for because they were always reluctant to lay the cards on the table and relied mostly on one-sided evidence.

Sir Lancelot Graham thanked Mr. Yamin Khan for having changed his view in favour of the amendment. By passing the Bill they were not adding any new section to the Criminal Procedure Code. The question was a simple one. It was not a question of any foreign ruler or individual being defamed or prejudiced but it was for India's own safety and friendly relation with her neighbours that the Government of India must put a check to an offence which was likely to or would disturb the peace. It was most difficult and practically not possible for any aggrieved foreign ruler or his representative to lodge any complaint.

Khan Bahadur Walayatullah considered that legislation was unnecessary as, under it, any person would be improperly put to grave danger on a mere legal presumption.

Sir Lancelot Graham interrupted that there was no presumption. It was clear that a person would be proceeded with for definite libel only.

Khan Bahadur Walayatullah said that any article could be constructed to be libellous and so it was unjustified. The Bill before the House was extraordinary and the proposed amendment would do away with the only relieving feature in the Bill. It was the experience of everyone that whenever a prosecution was instituted there was sure to be a conviction.

Sir B. L. Mitter was surprised at the alarm expressed by some members over such an innocuous measure. Any prosecution would be a very simple one before conviction. It must be proved whether a particular criticism was bona fide or an accused person had any wrongful intention to defame. It was only when defamation was likely to disturb friendly relations that the Governor-General-in-Council could take action. They were doing nothing new or dreadful.

MR. MUNSHI'S AMENDMENT

Mr. Jehangir Munshi said that the Government of India only wish to make it easier by this Bill for a Foreign Ruler to have a remedy for defamation, and instead of making it obligatory on a Foreign Ruler to file a complaint in the ordinary course the Government of India would act as the agency for a Foreign Ruler to file complaints for defamation. He suggested amendment of clause 2 by the deletion of the words "and in the opinion of the Governor-General-in-Council the maintenance of friendly relations between His Majesty's Government and the Government of such State may thereby be prejudiced" and asked the Law Member if he had any objection to the amendment.

To Mr. Jehangir Munshi's question the Law Member admitted that the prosecution depended on the discretion of the executive Government. However, there were enough safeguards provided that no prosecution would be launched unless the Governor-General was satisfied that friendly relation with a particular foreign ruler was prejudiced. It was open to the court to decide whether the offence implied elements of imputation, publication or any wrongful intention on the part of the accused.

Sir Abdur Rahim: "Including the element that the article is likely to disturb friendly relation."

Sir B. L. Mitter:—"That does not come under the element of defamation."

Mr. Jehangir K. Munshi said that if they were to rely upon what the Law Member had said then where was the necessity for words which served no purpose in the clause ? Words were necessary in the interest of an accused. Mr. Munshi was surprised to see Government more solicitous to an accused than representatives of the people. By that enactment Government was placing the courts in a strange position to decide whether in the opinion of the Governor-General the maintenance of friendly relations between His Majesty's Government and the Government of such State would be prejudiced was justified or not. He appealed to Government to agree to the deletion of those words so that an offence might be made simple for defamation.

Mr. Azharali opposed the amendment on the ground that there was no justification for Government to spend unnecessarily on litigation to promote or maintain friendly relations with foreign rulers. Government's object was not so much friendly relations as the suppression of free expression of opinion.

Sir Abdur Rahim moved for deletion of the words pointed out by Mr. Munshi in Clause Two.

Government accepted the deletion.,

OTHER AMENDMENTS

Mr. Yamin Khan then moved the addition that for the operation of the Bill Aden was excluded from India. The amendment was carried, as also another amendment omitting clause 2 in respect of trial courts.

The Foreign Secretary then moved an amendment which substituted the words to which objection was taken and later on omitted by Sir Abdur Rahim's amendment.

Mr. Munshi pressed that those words should be retained in no part of the Bill as it would cause serious prejudice to the accused.

The House then agreed to postpone further consideration till the following day by which time there might be a proper understanding as to the wording of remaining clauses to be discussed.

APRIL 2, 1932.

FOREIGN RELATIONS BILL PASSED

When the discussion on the Foreign Relations Bill was resumed, Sir Evelyn Howell moved revised amendment to substitute Clause Three as follows.—" Provisions of sections 99-A to 99-G of the Code of Criminal Procedure, 1898, and of Sections 278 to Sections 27-B to 27-D of the Indian Post Office Act, 1898, shall apply in the case of any book, newspaper or other document containing matter which is defamatory of a Ruler of State outside, but adjoining, India, or of any member of family or of any Minister of such ruler and tends to prejudice the maintenance of friendly relations between His Majesty's Government and Government of such State in like manner as they apply in case of a book newspaper or document containing seditious matter within the meaning of those sections."

DEBATE ON CLAUSE THREE

Mr. Jehangir K. Munshi opposed the whole clause, because it would place a foreign ruler in a privileged position against our own subject.

Sir Lancelot Graham explained that that clause would enable Government to stop any book or publication which contained poison, the dissemination of which would create contempt of their friendly relations with the neighbouring States.

Mr. Yamin Khan thought that the clause was necessary as a precautionary measure against any evil that might follow if all publication was unchecked.

Sir Abdur Rahim could not associate himself with the principle of prosecuting a person before he had an opportunity to prove that his action was justified.

Mr. Maswood Ahmed supported an amendment by which there would be only forfeiture of publication instead of prosecution.

Mr. Biswas did not see any reason, for opposition when Gvernment was so accommodating.

Mr. Sen and Mr. Anklesaria supported the amendment in the best interest of the accused. while Dr. Ziauddin opposed, remarking that supporters of Government were confusing libel with sedition.

Mr. Amarnath Dutt declared that personally he was opposed to the principle of the Bill which restricted liberty of persons and freedom of speech but once they were agreed that they required legislation of the kind then they must have it as India was surrounded by barbarous nations.

The amendment was carried by fifty-four votes against eighteen.

THIRD READING OF THE BILL

The Foreign Secretary moved the third reading of the Bill as amended.

Sir Abdur Rahim said that owing to their strong united opposition, the Bill was amply modified to act against mere defamation pure and simple, but still the measure was a very dangerous one. It curtailed liberty of the press and freedom of speech. Again, accused was not given an opportunity to prove his guilt. It was an established practice in every country that the press was allowed to express opinion on foreign affairs which helped the Government of the country to form their own attitude. He would not be a party to do anything against their intentions to establish the same practice in India also.

Mr. Ranga Iyer sounded a solemn note of warning to Government that the Bill, when it became law, must be administered with great caution for it involved the liberty of the press.

Mr. Sitarama Raju opposed the entire Bill which paralysed the Indian people when there was no reciprocal understanding between the foreign States. The Bill was very drastic in character. In spite of modification it was not amenable to public opinion in India, for it aimed at muzzling the public press.

Dr. Ziauddin opined that Magistrates in India had not the same calibre as those in England. In India they were only agents of the executive, and had no independence in giving judgment.

Syed Murtaza Saheb thundered that they would go against the Bill in spite of its existence and would publish or write anything if they found any foreign ruler acting against the principles of the Shariat. Government had taken undue advantage of the Assembly, when it was thin, to pass a distasteful and unwanted measure.

Mr. Yamin Khan, while supporting the Bill, objected to some members bringing in communal complications within the scope of discussion.

BILL PASSED ON GOVERNMENT ASSURANCE

Replying to the debate the Foreign Secretary on behalf of Government gave the fullest assurance that the Bill would be very cautiously applied, and no prosecution would be launched unless they had fully explored the consequences of their action.

The House divided, and the Bill was carried by 48 votes against 18.

SUGAR PROTECTION BILL PASSED

The Sugar Industry Protection Bill passed the third reading. The day's debate follows:—'

MOTION FOR POSTPONEMENT LOST

At the outset Sir George Rainy announced that with a view to expediting the business of the House and to conclude the session by the 5th or 6th, Government had no objection to postpone the Sugar Protection Bill till the September session, as suggested by an amendment of Mr. E. F. Sykes.

Mr. B. Das opposed Mr. Sykes's dilatory motion, and wanted Sir George Rainy to leave India only after giving more sweets to India through sugar protection. He deplored that the interests of cane-growers were not protected, and said that a cess-duty on sugar should be levied to start experimental sugar-cane factories for agriculturists. He suggested the issue of licenses for sugar factories, and that Government should share the surplus profits, to the extent of the protection given, from factory owners.

The President ascertained that an equal number of members were in favour of both postponement and consideration in this session.

Thereupon Mr. Raghubir Singh (United Provinces) suggested immediate consideration of the Bill, and was glad that the slow moving machinery of the Government of India had after all responded to the call of agriculturists and supported the Bill.

Mr. Morgan also favoured proceeding with the Bill. He remarked that as legislators they had to do business and not waste time.

Mr. Joshi opined that Government should have taken power to control prices because protective tariff on sugar imposed heavy duties on sugar. It was only fair that they should insist on imposing a limit on the dividends of capitalists, and that profits must be limited to foster and develop the industry in the interest of Indians.

Sir George Rainy said that in view of the Assembly's desire to proceed with the bill he would suggest expeditious disposal of amendments.

Sir Abdur Rahim, Mr. Ranga Iyer and Mr. Abdulla Haroon endorsed his appeal.

Mr. Haroon informed the House that all factories proposed to be started the following year would be in the hands of Indians.

Mr. Hariraj Swarup opposed Mr. Sykes's amendment for postponement, which was lost.

MOTION FOR CONSIDERATION CARRIED

Sir George Rainy's motion for consideration was then carried.

MR. JOSHI'S AMENDMENT LOST

Mr. N. M. Joshi then moved a lengthy amendment providing, "inter alia," that the undertaking engaged in manufacturing sugar should give declaration pledging themselves:—(1) not to pay any fee or equivalent sum to shareholders, and other participants with limited liability of a greater sum by way of the annual dividend than that they would get at six per cent. on actual capital invested in undertaking by persons concerned; (2) to employ any further surplus in consolidating the position of undertaking in a manner approved by the Government of India; (3) not to employ anyone who is not an Indian except with the permission of the Government of India; and (4) to produce a certificate, that labour conditions in the undertaking are satisfactory, and form a Committee of three persons appointed by the Government of India for that purpose.

This amendment was supported by Mr. K. P. Thampan and opposed by Mr. S. C. Mitra, Dr. Ziauddin Ahmed and Mr. Abdullah Haroon though they sympathised with the object.

The amendment was lost without a division.

MR. SYKES'S AMENDMENT LOST

Mr. Sykes moved an amendment to provide that whoever, in buying sugar-cane from the grower of sugar-cane, pays him a price which is less than eight annas per maund of 82 and 2|7th pounds avoirdupois shall be punishable by a fine which may extend to two thousand rupees for each offence. This was lost after brief Opposition speeches.

THIRD READING PASSED

Sir George Rainy then moved that the third reading of the bill be passed.

Mr. B. Das, Sir Abdur Rahim, Mr. Ranga Iyer, Mr. Yamin Khan and Mr. Morgan all joined in congratulating Sir George Rainy for his genial spirit and for having introduced and established Parliamentary practice in the Assembly.

Sir George Rainy thanked all sections of the House for their co-operation and helpful assistance.

The bill was then finally passed.

APRIL 4, 1932.

INDIA AND THE OTTAWA CONFERENCE

Mr. Ranga Iyer asked the following short notice question which elicited an important reply:—"With reference to the recent announcement by the Secretary of State for India that the Government of India would take part in the Imperial Economic Conference at Ottawa next july, will Government be pleased to make a statement explaining what action they propose to take in the matter?"

SIR GEORGE RAINY'S REPLY

Sir George Rainy replied: "The Government of India have agreed to send their delegation to the Imperial Economic Conference which will meet at Ottawa in July next. They have been informed that the principal item on the agenda will be discussion of the policy of trade agreement between different countries of the Empire and they have been invited in particular to consider the question whether having regard to the new tariff policy of His Majesty's Government in the United Kingdom, Great Britain and India should enter into a tariff agreement embodying a reciprocal preferential tariff agreement so as to benefit the trade of both countries. The Government of India have accepted that invitation and the Viceroy, with the approval of the Secretary of State, has appointed the following gentlemen to represent India at the conference:—Leader, Sir Atul Chatterjee. Members, Mr. R. K. Shanmukham Chetty, Sir Pestonji Ginwala, Seth Haji Abdullah Haroon, M.L.A., Sahibzada Abdul Samad Khan and Sir George Rainy. If the conclusion of the trade agreement is recommended as the result of the conference any changes in tariff which may be involved will be duly placed before the Legislature for its approval. The Government of India have no wish to put any such changes into effect unless the Legislature is satisfied that they are in the interest of India."

SUPPLEMENTARY QUESTIONS

A volley of supplementary questions followed.

Mr. Neogy: What instructions are the Government of India giving to the Delegation?

Sir George Rainy: I am the person to receive instruction. (Laughter).

Mr. Neogy: The member represents Government for the present. Is the Secretary of State going to give instructions?

Sir George Rainy: The Government of India will give instructions.

Mr. Neogy: Will there be no reference to the Secretary of State?

Sir George Rainy: The practice followed in tariff matters would, I take it, be followed that a communication will be sent to the Secretary of State, but the final decision rests entirely with the Government of India.

Mr. Biswas: May I take it that the constitution of the Delegation has been formed on the understanding that they will support imperial preference?

Sir George Rainy: I do not know what the views of individual members are.

Mr. Neogy: Will the conclusions of the conference be placed before this Legislature or the Legislature to be created after the new reforms are introduced?

Sir George Rainy: I have said these will come before the Indian Legislature functioning at the time.

Mr. Neogy: Will this Delegation be authorised to commit India to imperial preference?

Sir George Rainy: Mere commitment of policy is nothing without consequential tariff and these must come before the Legislature.

Mr. Neogy: Government possesses extraordinary powers to act in spite of the Legislature.

Sir George Rainy: I have said Government have no wish to put changes into effect unless the Legislature is satisfied they are in the interest of India.

Dr. Ziauddin: What about Indian industries which are under protection or may need protection in future?

Sir George Rainy: The interest of India comes first. Adequate protection of Indian industries will be an essential part of that no doubt.

INDIAN AIR FORCE BILL

Mr. Mackworth Young moved considerations of the Indian Air Force Bill as amended by the select committee. He referred briefly to the changes made in the bill and said that the definition of domicile had been so put as to make the force genuinely Indian and that at the same time the statutory provision had not been made too difficult for recruiting officers to act under.

MOTION FOR POSTPONEMENT

Mr. S. C. Mitra moved postponement of the Bill. He said the House had ceased to be representative and appealed to the Chair to adjourn it sine die. On the Government benches, he said, only one member was sitting, while the opposition Leader and the European Leader had left Delhi. Then, again, quite a large number of members had gone away because Government had originally announced that the session would end by 24th March. A large number of members, including Mr. Pandian, Major Nawab Talik Mehdi Khan, Mr. Deo, Mr. Gopika Raman Roy and Mr. Tun Aung had not attended the session at all, while many others had hardly been present for a week during the session including Mr. Hoon, Mr. N. Rao, Mr. G. Reddy, Mr. Dumasia, Mr. B. R. Puri, Mr. Jamal Mahomed, Mr. Agarwal and U Kyaw Myint. Then, again, the provision that any one who did not attend the session for 60 days could be made to vacate his seat was applied by Government only once and that in the case of the speaker himself when he was interned. He finally expressed the fear that, in such a thin unrepresentative House, Government might suddenly bring forward a bill enacting an Ordinance.

DEBATE ON THE AMENDMENT

Mr. Arthur Moore joined in the regret that the House was thin when they were considering one of the greatest measures that had ever come before it and which might in course of time prove of decisive importance in

the development of India's constitution. He did not, however, agree that the Bill was contentious. It had been already given the blessing by the representatives of all parties and unless it were passed Indian cadets ready to join the force in the coming summer would remain without a footing.

Babu G. P. Singh opposed the amendment. He said if Mr. Mitra felt as he had said he might follow others before him and leave the House. Why should they waste time on such amendments?

Mr. Mitra: You are speaking as a Government member.

Babu G. P. Singh: This is characteristic of the subject race.

Mr. Raju supported Mr. S. C. Mitra.

Sir George Rainy said it was impossible for Government to fix all Bills in the middle of the session as members were against taking them either in the beginning or at the end.

The President said he had a clear answer to what his position was on the question of whether the House was representative or not. There was a clear ruling of Mr. Patel given on the occasion of the Swarajist walk-out and modified the following day. The position of Mr Mitra was that a large number of members were not present either throughout the session or had left. Failure to discharge an obligation was matter to be taken note of by the electors. (Applause). The President continued: "Hon'ble member has drawn attention to a point that a controversial measure may be brought before the House at the last moment. The Chair is bound to protect the dignity, rights and privileges of the House. If Government ever attempted any such thing without adequate reason, the Chair will take care that the House is not forced to discuss it, but if the honourable member expects the Chair to have any sympathy for members who take any amount of trouble and expense to get elected and then not attend the session, the Chair has no sympathy for them." (Applause.)

POSTPONEMENT MOTION WITHDRAWN

Mr. Mitra, in view of the Chair's remarks, withdrew his motion for postponement.

DEBATE ON THE BILL

The debate was resumed on Mr. Young's original motion.

Capt. Lalchand then spoke supporting consideration of the Air Force Bill as it was an earnest of the sincere desire of the Government to respect Indian aims and aspirations.

Babu Gaya Prasad Singh gave whole-hearted support to the Bill and was happy that the force would be confined to persons, mainly of Indian extraction.

Mr. S. C. Mitra said that he was not opposed to the Bill but thought it was too important to be discussed in a thin House. He feared that the army tradition of recruiting the less educated and less cultured units of the martial races might be followed.

Mr. Young, interrupting, said: There is no class composition in this air force.

Mr. Mitra: I am glad that they have discovered they were wrong.

Mr. Jadhav supported the Bill and wished it to expand quickly throug economy on army expenditure.

Dr. Ziauddin Ahmed and Mr. Ranga Iyer supported the Bill. The latter congratulated the Army Secretary on putting the measure on the statute book before leaving the Army Department.

Mr. Young said the Bill was a matter of great satisfaction to Government and himself.

BILL PASSED.

The Bill was then finally passed.

BROADCASTING BILL

Sir Joseph Bhore moved consideration of the Broadcasting Bill increasing the import duty on wireless reception articles. He corrected a mistake in the statement of objects and reasons of the Bill and said that the gap was to be made up through customs receipt and other revenue and not merely customs receipt. He said that broadcasting in India had a melancholy financial history but its popularity was shown when the retrenchment proposal roused opposition from various quarters. He said that they had ruthlessly pruned expenditure but the gap of sixty thousand still remained to be covered. They stood better compared to company control whose losses in three years were heavy. He was confident of the great future of broadcasting in India.

Mr. B. Das gave support to the measure and would even double the licensing fees if the present duty was insufficient.

Mr. S. C. Mitra acknowledged its educative value, while Babu Gaya Prasad Singh hoped Government would stop piracy and increase licensing fee.

Mr. A. N. Dutt urged Government to take broadcasting into the village.

AMENDMENTS DEFEATED AND BILL PASSED

After two amendments of Mr. Jog were moved and defeated, the House passed the Bill.

BILL TO VALIDATE CERTAIN SUITS

The House took up the motion of Sir Lancelot Graham for consideration of the Bill to validate certain suits relating to public matters as passed by the Council of State.

MOTION FOR POSTPONEMENT LOST

Sir Abdullah Suhrawardy said that the Bill was almost controversial and should be postponed to the Simla session. He moved an amendment accordingly.

Rai Sahib Har Bilas Sarda supported Sir Lancelot Graham's motion, while Mr. B. Das supported the postponement.

Mr. Biswas opposed Sir A. Suhrawardy's amendment.

Sir Abdur Rahim declared that the proposal was without precedent. The House was being asked to give retrospective effect so that a number of parties in suits now before the courts might win those cases. Could the House sit on judgment on the Privy Council and constitute itself as a court? The Bill certainly required more serious consideration and should be taken up to Simla.

Sir B. L. Mitter said the matter was not only serious but urgent. For half-a-century Government and all courts in the country had followed one procedure which the Privy Council had now declared wrong. All cases had been filed in the honest belief that the old procedure was right. The result of the failure of the Legislature to act now would be to make hundreds of receivers of public charitable institutions to hand property back to fraudulent trustees. The Crown being the protector of public charities, it was up to the Legislature to intervene. He contended that the House was not sitting in judgment on the courts but was rescuing an aggrieved party who had spent time and money for the sake of protecting public charities. But for this all suits would be dismissed.

Mr. Ranga Iyer said Sir B. L. Mitter's argument was more convincing and agreed with it though he understood that the issue was open for party members.

Dr. Ziauddin Ahmed was in favour of postponement of the Bill which interfered with the administration of the court under the guise of protecting endowments.

Mr. Jadhav was in favour of immediate consideration.

Sir Lancelot Graham while opposing postponement repudiated the charge that Government had deliberately introduced the measure in the Council of State in order to avoid bringing in of the circulation motion in the Assembly.

The postponement motion was lost.

MOTION FOR REFERENCE TO SELECT COMMITTEE LOST

The motion for reference to select committee was also lost.

BILL PASSED

The Bill to validate certain suits relating to public matters was finally passed and the Assembly adjourned till the following day.

APRIL 5, 1932.

BILLS REFERRED TO SELECT COMMITTEES

ASSAM LABOUR

Sir Joseph Bhore, member for Industries and Labour, moved the appointment of a Select Committee on the Bill amending the law relating to emigrant labourers in the tea districts of Assam. He said that the Bill would be circulated by an executive order and hoped that the Select Committee would meet in Simla some time before the coming session.

Mr. Abdul Matin Chowdhury said that it was essential that some approved standard of life should be assured to the labourers. At present the public were not allowed contact with the labourers in tea gardens. He suggested that the Controller and Deputy Controller of Labour should both be Indians.

Mr. H. B. Fox maintained that the conditions in which the labourers worked were not only satisfactory but that they enjoyed enviable prosperity. The tea industry would regard restrictions to chapter IV as a threat to an industry unparalleled in India.

Mr. C. S. Ranga Iyer pledged his full support to the Bill.

Mr. N. M. Joshi said that the Bill was imperfect and that the restriction proposed would be found by Mr. Fox to be more in the interest of the employer than of the labourer. He laid stress to various improvements which were urgently called for.

Mr. A. G. Clow said that the Assam tea planters, for some reason or other, preferred the employment of families rather than of individuals. After a thorough inquiry he was in a position to state that nowhere else in India, in any industry, were workers better treated than by the tea planters of Assam.

After addition of the names of Kottal Uppi Sahib and Bhai Parmanand to the Select Committee, the motion was carried.

PILGRIMS TO HEDJAZ

Sir Frank Noyce then moved reference of two Bills to Select Committee —the first to establish a committee in the principal ports of pilgrim traffic to assist the pilgrims to the Hedjaz and the second to regulate the activities of persons in British India who offer to assist pilgrims to the Hedjaz.

Several members raised objection to the principle that a large majority of the members of the Committees were either nominated or officials.

Sir Frank Noyce assured them that that could be remedied. After slight alterations in the membership of the Select Committees, the motions were adopted.

APPORTIONMENT OF FUNDS FOR ROAD DEVELOPMENT IN BURMA

Sir Joseph Bhore moved an amendment to the resolution, empowered with the approval of the Burma Council and Government, that the amount available in respect of road development in Burma could be apportioned between the Shan States and Burma proper and could be spent in any other scheme.

Mr. Munshi wanted to know if that was brought forward at the instance of the Burma Government.

Sir Joseph Bhore could not understand how that arose from the motion.

Mr. Munshi: Because Sir Charles Innes is to dismember Burma into three areas, Shan States, Burma proper and the excluded areas, the last named possessing a bulk of mineral wealth in the province.

Mr. Mitra thereupon moved the postponement of the debate till the Simla session.

Sir Joseph Bhore pointed out that there was nothing to prejudice the future constitution of Burma. The only result of postponement would be to postpone giving the Shan States any money to which they would be entitled for road development.

The House then adopted Sir Joseph Bhore's resolution.

CAPETOWN AGREEMENT

The terms of the Agreement arrived at between the South African Union Government and the Government of India as a result of the Capetown Conference were read out by Sir Fazli Hussain in the Council of State and by Mr. G. S. Bajpai in the Legislative Assembly.

The important features of the new Capetown Agreement are that the Government of India will co-operate with the Government of the Union of South Africa in exploring the possibilities of a colonisation scheme for settling Indians both from India and from South Africa in other countries.

In this investigation, which should take place during the course of the present year, a representative of the Indian community in South Africa will, if they so desire, be associated as soon as the invitation has been completed. The two Governments will consider the results of inquiry. This scheme will take the place of the Assisted Emigration Scheme, which has proved a failure.

Another important concession gained by India is that Clause 5 of the Transvaal Land Tenures Bill, which embodied the principle of segregation by providing for earmarking of areas for the occupation or ownership of land by Asiatics, has been deleted.

Instead, the Gold Law is to be amended to empower the Minister of the Interior, after consultation with the Minister of Mines, to withdraw any land from the operation of the Bill in so far as it prohibits residence upon or occupation of any land by coloured persons.

This power will be exercised after inquiry into individual cases by an impartial commission presided over by a judge to validate the present illegal occupations and to permit exceptions to be made in future from occupational restrictions of the Gold Law.

The Government of the Union will continue to adhere to the policy of uplifting the permanent section of their Indian population and the Government of India will continue to maintain in South Africa an Agent whose presence has admittedly proved most helpful alike to the Indian community in South Africa and to the promotion of friendship between the two countries.

TEXT OF THE AGREEMENT

The following is the text of the statement on the Capetown Agreement:—

In accordance with Paragraph 7 of the Capetown Agreement of 1927, delegates of the Government of the Union of South Africa and of the Government of India met at Capetown from January 12 to February 4, 1932, to consider the working of the agreement and to exchange views as to any modifications that experience might suggest. The delegates had a full and frank discussion in the conference, which was throughout marked by a spirit of cordiality and mutual good-will.

Both the Governments consider that the Capetown Agreement has been a powerful influence in fostering friendly relations between them and that they should continue to co-operate in the common object of harmonising their respective interests in regard to Indians resident in the Union.

LAND SETTLEMENT

It was recognised that the possibilities of the Union's scheme of assisted emigration to India were practically exhausted owing to the economic and climatic conditions of India as well as to the fact that 80 per cent. of the Indian population of the Union were South African-born.

As a consequence the possibilities of a land settlement outside India as already contemplated in Paragraph 3 of the Agreement have been further considered. The Government of India will co-operate with the Government of the Union in exploring the possibilities of a colonisation scheme for settling Indians both from Indian and from South Africa in other countries.

In this investigation which should take place during the course of the present year, a representative of the Indian community in South Africa will, if they so desire, be associated as soon as the invitation has been completed. The two Governments will consider the results of the inquiry.

No other modification of the agreement is for the present considered necessary.

CO-OPERATION

Before passing on to the Transvaal Asiatic Tenure (Amendment) Bill, members would perhaps like me to comment on the more important points in the settlement which I have just announced.

(1) Recognition by the two Governments of the need of continued co-operation in the common object of harmonising their respective interests in regard to Indians resident in the Union justifies the hope that the friendly relations between South Africa and India which are of such vital importance to the Indian community in the Union will continue.

(2) It had become increasingly evident for some time before the conference met at Capetown that Indian opinion both in South Africa and in India had become unfavourable to a scheme of assisted emigration to India. This was due to no shortcoming on the part of either Government, but primarily to climatic and economic causes and to the fact that 80 per cent. of the Indian population of South Africa were born in the Union. The recognition of the Union Government that the possibilities of this scheme are now practically exhausted should be received with considerable relief by Indian opinion on both sides of the ocean.

SATISFACTORY SCHEME

(3) The proposal that possibilities of land settlement outside India should be examined merely carries out an integral part of the 1927 agreement. It may be welcomed on two grounds:—

I. If it results in a satisfactory scheme of land settlement it may provide an outlet especially to the younger generation of Indians in South Africa in a country where they may have greater opportunities both for economic development and for political self-expression;

II. Association of a representative of the South African Indian Congress in the investigation will not only be a valuable safeguard for the inquiry but constitutes an experiment in collaboration between the Union Government and the Indian community in South Africa, which it is hoped will be extended to other fields.

(4) The agreement stands unmodified except as regards the scheme of assisted emigration to India and the proposed exploration of possibilities of land settlement elsewhere. This means, to mention only two points of the last agreement, that the Government of the Union continue to adhere to the policy of uplifting the permanent section of their Indian population and that the Government of India will continue to maintain in South Africa an Agent whose presence has admittedly proved most helpful alike to the Indian community in South Africa and to the promotion of friendship between two countries.

TRANSVAAL BILL

I shall now endeavour to deal with the Transvaal Asiatic Tenure (Amendment) Bill. The conference decided that it should be considered by a sub-committee consisting of two representatives of each delegation. After discussion in sub-committee, Dr. Malan, who was one of the union representatives agreed to place informally before the members of the select committee which had prepared the bill, the suggestions of the delegates from India. The results of this consultation may be summarised as follows:—

(1) Clause 5 of the Bill, which embodied the principle of segregation by providing for the ear-marking of areas for the occupation or ownership of land by Asiatics, has been deleted. Instead, the Gold Law is to be amended to empower the Minister of the Interior, after consultation with the Minister of Mines, to withdraw any land from the operation of Section 130 and 131 in so far as they prohibit residence upon or occupation of any coloured persons. This power will be exercised after inquiry into individual cases by an impartial commission presided over by a judge to validate the present illegal occupations and to permit exceptions to be made in future from occupational restrictions of Gold Law. It is hoped that liberal use will be made of this new provision of the law so as to prevent substantial dislocation of Indian business which the strict application of the existing restrictions would involve and to provide Indians in future with reasonable facilities to trade in mining areas without segregation.

FIXED PROPERTY

(2) The Bill has also been amended so as to protect fixed property acquired by Asiatic companies up to March 1, 1930, which are not protected by Section 2 of Act 37 of 1919. This will have the effect of saving many Indian properties which though not acquired in contravention of the letter of the Act of 1919 were acquired contrary to its spirit.

(3) Local bodies whom Clause 10 of the Bill required to refuse certificates of fitness to an Asiatic to trade on the ground that the applicant may not lawfully carry on business on premises for which the licence is sought, shall have to treat a certificate issued by a competent Government officer to the effect that any land has been withdrawn from restrictive provisions of Sections 130 and 131 of the Gold Law, as sufficient proof that a coloured person may lawfully trade on such land as it is proposed to maintain hereafter a register of all lands in proclaimed areas where Asiatic occupation is permitted. Such a provision should prove a valuable safeguard to the Indian community.

SUBSTANTIAL ADVANCE

As against these important concessions it has to be recognised that the recommendation of Indian delegation that areas like springs and de-proclaimed land to which restrictions of the Clauses 130 and 131 do not at present apply, should not be made subject to them and that leases for ten years or more should not be treated as fixed property, have not been accepted. On the balance, however, amendments which, subject to ratification by the Union Parliament, have been made in the Bill represent a substantial advance on the original Bill.

I must apologise to the House for the length of the statement. I have endeavoured to make it as brief as is compatible with clarity. The Government had hoped that it would be possible to make an announcement earlier but this was found impossible as the results of the Conference have to be published in both the countries simultaneously and the Union Parliament re-assembles only to-day after the Easter recess. The Government trust, however, that keeping in view the difficulties inherent in the problem and after consideration of the statement which has been made to-day, members will feel satisfied with the results achieved.

After the Agreement had been read, Mr. B. Das got up to put a few questions. The President informed him that there was a resolution tabled on the subject and no question would be allowed.

Sir Abdur Rahim obtained from Sir Fazli Hussain assurance that time would be allotted in the Simla Session to discuss the Capetown Agreement, if the members then so desired.

Sir Fazli Hussain also assured that the Government of India would continue to watch the progress of the Transvaal Bill as reintroduced in the Capetown Parliament.

MR. ANDREWS ON THE STATEMENT

Mr. C. F. Andrews, in the course of a statement on the South African Agreement, says:—

Perhaps the chief gain in the new agreement has been the frank acknowledgment by both Governments that repatriation has proved a failure. This clearly means its death-blow. Here the unanimous voice of India has prevailed.

BURMA AND ITS FINANCIAL RELATIONS WITH INDIA

Sir George Schuster moved for the consideration of the report of the Standing Finance Committee on financial questions arising out of the proposed separation of Burma from India. The report was made by Sir Henry Howard of the Burma Government and Mr. J. C. Nixon of the Government of India, specially appointed for the purpose. While expressing the desire of the Government not to prevent any motion for postponement of consideration of this report, the Finance Member made it clear that it might be found necessary by His Majesty's Government to subject to arbitration, during summer, questions arising from this report.

FEATURES OF THE REPORT OF STANDING FINANCE COMMITTEE

Continuing Sir George Schuster said that one of the most important questions involved was that of pensions. Mr. Nixon had asked for ten and a half per cent. of total charges of the Government of India in respect of pensions to be paid only for service rendered in Burma. The financial difference involved was that under the Nixon Scheme Burma would begin with a payment of about 105 lakhs in the first year, while under the Howard Scheme, she would pay only 35 lakhs. Similarly, Mr. Nixon had suggested the same proportion in respect of pensions now being earned.

The next question was that Burma should have her share of unprotective assets and should pay the cost of troops actually employed in Burma. The Standing Finance Committee had, however, suggested that the Government of India might claim some general contribution on account of general services of defence.

He next referred to the question of Public Debt. Mr. Nixon had suggested that an historical approach to the subject was impossible and had recommended that Burma should take over in respect of productive assets the corresponding debt incurred, and, as for the rest, she should take over her share on the basis of her proportion to general revenues of India, both

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The further point that other countries are to be explored with a view to colonisation need not arouse fear or alarm. The country specially contemplated was Brazil and its exploration was fully approved by the South African Indian Congress. An outlet is badly needed for the rising educated generation, which is cramped by the "White Labour Policy." As the present barriers remain, preventing Indians in Natal from migrating freely to other provinces of South Africa, congestion of the population round Durban will continue. If Brazil is able to afford an outlet, it should certainly be explored.

The Japanese Government have already undertaken land settlement there on a large scale, with highly successful results. Even though the present moment may be unpropitious owing to world economic depression, yet the future is with Brazil. It has a favourable climate, good rainfall, a very fertile soil and no colour prejudice whatever.

With regard to the Land Tenure Bill, it appears to me that complete withdrawal of Clause 5 has now definitely prevented segregation. This is the thing we aimed at all along.

Furthermore, we have obtained other substantial gains, such as the protection of property, right up to May, 1930, and the prevention of trade licences falling into the hands of municipalities. This was the immediate danger and it has now been forestalled.

At the same time, it is a loss that when the mining areas are deproclaimed so as to pass back into ordinary lands, the old evil of racial disabilities should continue. While this will not severely hurt Indian traders who usually seek mining areas for trade, yet it is an extension of the colour bar which should call for strong protest from the Indian Government.

It is also very regrettable that nothing has been done in the Agreement to restore to their full value Transvaal registration certificates

Beyond these immediate gains and losses, there has come about in South Africa, owing chiefly to the status of the Agent, a relaxation in social matters of the worst forms of colour prejudice against Indians. At Capetown, during the conference, it was quite noticeable that friendly relations between Indians and Europeans had advanced. If the new Agent can carry this still further forward, he will have accomplished one of the most important works which yet needs to be done in South Africa.

central and provincial, which worked out at ten and a half per cent. This would transfer to Burma a debt of 68 crores. Some members of the Standing Finance Committee had urged to make an approach through the historical method so that they might be better off, but Sir George Schuster opined that that was not possible.

FINANCIAL POSITION OF INDIA AFTER SEPARATION

Summing up the position he said that India would be worse-off between two and a quarter to three and a half crores after separation. The difference between the two figures was the difference between Mr. Nixon's and Mr. Howard's way of approach. When it was considered that about eighty lakhs annually would be saved over interest charges after transferring 66 crores of debt to Burma, the balance might be covered. The Finance Member read from the Nixon-Howard Memorandum a sentence that the question should be approached in a spirit of reason and mutual accommodation to avoid the ill-effects of a change so great. There should be a spirit of give-and-take, and Sir George Schuster suggested that the best method was not to tie the hands of the Government by giving precise instructions, but to ask the Government of India to place before an impartial tribunal, with which inquiry the Standing Finance Committee members would be associated, to put the case of the Government of India for fairness to the Indian tax-payer.

MOTION FOR POSTPONEMENT

Mr. S. C. Mitra moved postponement of discussion till the Simla session. It was supported by Mr. Jehangir Munshi who said that his Burman colleagues were absent.

The general sense of the House was to postpone the discussion if the Government maintained a "status quo" and did not appoint an arbitration tribunal.

Sir George Schuster said that he could not say what would be the course followed in the matter in question, and the House adjourned till the next day.

APRIL, 6, 1932.

BURMA AND ITS FINANCIAL RELATIONS WITH INDIA (Continued)

The debate was resumed on Sir George Schuster's motion to take into consideration the Standing Finance Committee's Report on Burma's Financial relations and Mr. Mitra's motion for postponing it to the Simla session.

DEBATE ON THE AMENDMENT

Dr. Ziauddin Ahmed declared that the question of separation was for Burma to decide, and he resented artificial propaganda being carried on the subject.

Mr. Sarda suggested that the Government should take counsel with experts before tying their hands.

Mr. B. Das disliked arguing a hypothetical case and said: "If we are going to have a tribunal, it must be appointed by the League of Nations. The British Government are an interested party, and none from within the Empire should be appointed Chairman."

Mr. Raju said that Madras Andhras and Chetties had developed Burma and the question of safeguarding crores of their money was also involved. The issues were too serious to be discussed lightly.

Sir Abdur Rahim, leader of the Independent Party, said: "This question depends on the result of the election. We do not desire separation,

but we shall not stand in the way of Burma, if Burma decided to separate; but if Burma desired separation, then financial adjustments between the two countries must be carried but on the principle of being fair to both the parties. There is no question of generosity. We are not here to sacrifice the financial interests of India in order to help Burma separate. We are not going in any way to help the party which wants separation from India. An arbitration board must not be appointed, until Burma has decided to separate. Otherwise, we shall be forcing the hands of Burma by giving a financial settlement one way or the other."

Mr. N. M. Joshi said that the question of separation was the concern of the R. T. C. What status had either the Government of India or the Burma Government to discuss the question or to place the case before an arbitration board? Neither of them had any right to commit the future Governments of the countries. He asked who was to appoint the arbitrators? "I hear," went on Mr. Joshi, " that the Secretary of State will do it. Let me say that both the Secretary of State and the British Government are interested in this question. They forced it on the R. T. C. When they found that they were to give self-government to India they wanted to create difficulties and bought in the control of the Princes and decided to take away Burma. The question is one to be settled by India and Burma and R. T. C. jointly."

Mr. Ranga Iyer said that he did not have definite opinion whether arbitration should be by the League of Nations or by the Privy Council Committee but as both India and Burma belonged to the Empire, an impartial tribunal could be found within the Empire. (Sir G. Schuster: Hear, Hear). He felt that Nixon had been moderate in putting India's case when Howard had been an extreme advocate of Burma's claims.

Mr. Jadhav asked: Is the question of separation to be decided by the amount of debt she would have to pay to India and will a small debt be an inducement for Burma to go out. (Applause). This is a farce practised by our trustees of joining Burma against our will and separating her against our will. I urge that a settlement of the financial question be postponed till the issue of separation is settled.

Mr. Jehangir Munshi wished to speak on the merits of the case but as he had taken a brief part in the debate the day before he was ruled out.

OFFICIAL REPLY TO THE DEBATE

Sir George Schuster replying to the debate claimed that the debate had been on the whole useful. He understood that the general sense of the House was in favour of referring the issue to arbitration.

Sir Abdur Rahim: No now.

Sir George Schuster was glad at what fell from Mr. Ranga Iyer. The issue was essentially an Empire issue and it was not necessary to go outside the Empire in order to get an impartial tribunal. He noticed that members were silent on his suggestion that members of the Standing Finance Committee be associated with the arbitration inquiry. Such members of the Committee as had spoken disclaimed expert knowledge. Some suggested that experts and other representatives be associated. That was point which the Government of India would represent to His Majesty's Government.

Sir George Schuster next asked the House what would they gain by further delay. He said that the issue on behalf of the Opposition had been definitely put by Sir Abdur Rahim. In answering his categorical points, Sir George Schuster said:

"Sir Abdur Rahim has said we cannot be generous and a settlement must be fair and must not make separation unduly attractive. I entirely agree with every word of that but, as after separation we have to develop our relations, the financial adjustment must be reasonable

and allow amicable relations in future. We have the report of the Standing Finance Committee which strongly supports the view that the issue be submitted to an arbitration tribunal."

Sir Abdur Rahim: A court should not be appointed now.

Sir George Schuster: That question does not rest with us. We can only represent to His Majesty's Government the views expressed in this House and this we shall do, but let me remind the Honourable Members that the Premier in closing the Burma Round Table Conference had said that before the public of Burma were asked to decide on the issue of separation, they should have the financial adjustment before them. We cannot decide otherwise here and now. We brought this issue to ascertain the views of the House and if the House wishes to postpone discussion, we have no objection. We shall represent your views to His Majesty's Government but if inspite of these an arbitration does take place, we shall try to gather to ourselves the assistance of the nature which will satisfy the House that we have made the best effort to represent the case of India in order to secure a fair settlement." (Applause).

MOTION ACCEPTED

The motion was accepted and the debate was adjourned to the Simla Session and the President adjourned the House "sine die".

COUNCIL OF STATE

SITTINGS OF THE COUNCIL

APRIL 1, 1932.

BENGAL DETENUS TRANSFER BILL

THE Council of State held only two minutes' sitting when the Secretary presented the Bengal Detenus Bill as passed by the Assembly on March 30, 1932.

APRIL 4, 1932.

BENGAL DETENUS TRANSFER BILL (Continued)

MOTION FOR CONSIDERATION OF THE BILL

The Hon. Mr. H. W. Emerson, Home Secretary, in moving the consideration of the Bill reminded the House that the Bengal Council had passed by an overwhelming majority the Criminal Law Bill on the model of 1925. This was rendered necessary by the series of terrorist outrages of which there were no less than 93 during the last twelve months. These outrages included 24 murders or attempted murders of Government officials culminating in the attempt on the Bengal Governor at the University Convocation ceremony. To obtain evidence against the culprits the Government had to adopt secret methods and in order to protect the secret informers who gave evidence, the Government found that mere detention was not enough. The Bengal Government had made out a case for their transfer, not only for the protection of secret informers, but also for better discipline in camps. If the Bill was passed the detenus would be transferred to Ajmer-Merwara shortly. The Bengal Government and their officers were engaged in a grim fight with the terrorist organisation and it was not desirable that their officers should be in daily danger of their lives.

DEBATE ON THE BILL

Syed Hussain Imam opposed the Bill remarking that detention without trial was unjustifiable on any ground. There were many convicted prisoners who were more dangerous and yet were kept inside the jails of Bengal. But in the case of unfortunate detenus, who had not been tried or convicted, they were regarded by the Government as dangerous enough to be transported to other provinces. He felt sure that the Government of India would not be able to reproduce in the desert of Ajmere-Merwara conditions similar to those to which detenus were accustomed in Bengal.

Mr. M. Suhrawardy admitted the need for coping with the emergency situation created in Bengal, but was of opinion that mere dealing with terrorists would not serve the purpose. He asked the Government to introduce liberal reforms.

Mr. Ghosh Maulik did not question the principle of the Bill, but stressed the need for adequate safeguards, especially in providing for detenus conditions similar to those that existed in Bengal.

Mr. J. C. Banerjee entered an emphatic protest against the Bill which, he said, was unpopular and unwanted. In view of the fact that the Government were not making provision for travelling allowances for the relatives of detenus, it was better that detenus were kept in the Bengal Jails. Mr. Banerjee explained the difficulties of detenus regarding correspondence,

etc. and said that if detenus were at all transferred, the Government should obtain monthly reports regarding the health of detenus.

Raja Bijoy Sing of Dudhoria objected to the rights of habeas corpus being taken away and said that detention camps must be visited by those who enjoyed the confidence of the public and the Government.

Mr. Nripendra Narayana Sinha supported the measure.

Rai Bahadur Jagadish Prasad wanted information regarding the functions of the two judges who would order detention and transfer of suspected persons.

OFFICIAL REPLY

Sir B. L. Mitter replied that local Governments would place evidence, in their possession, before the two judges and they would decide whether detention was called for or not.

Mr. H. W. Emerson repeated the assurance given by Sir James Crerar that every effort would be made to reproduce in Ajmer-Merwara conditions prevalent in Bengal regarding diet, medical attendance, reading facilities and games, etc. The Government were unable to accept the principle of travelling allowance owing to the financial situation.

MOTION FOR CONSIDERATION CARRIED

Motion for consideration was then carried..

AMENDMENT TO CLAUSE 2 LOST

To clause 2 of the Bill Mr. Ghosh Maulik moved an amendment in order to ensure that, as far as practicable, similar conditions of detention as regards diet and mode of life as would have obtained in Bengal were made and also provided for interviews and travelling allowances. The amendment ran thus:—

"That the following words be added at the end of clause 2:—

"Provided further that in case of any such person, rules shall be framed, by or under the authority of the Government of India, to ensure as far as practicable similar conditions of detention as regards diet and mode of life as would have obtained in Bengal, and to provide reasonable facilities for correspondence and interviews (including payment by the Local Government of travelling allowances, where necessary) between such person by his relations.

"That instead of the words "section 491" in clause 4, the following words be substituted:—

"Section 491 Sub-section 1, clauses (A), (B) and (E).

"That the following new clause, to be numbered clause 3. be added after clause 2 and clause 3 and the remaining clauses be renumbered as clauses 4, 5 and 6":—

Mr. H. W. Emerson said that grant of travelling allowance would be a departure and pointed out that it did not obtain in case of Bombay and Madras regulation prisoners. The question of travelling allowance for the relatives of detenus was not even considered by the Bengal Council.

The amendment was lost.

SECOND AMENDMENT LOST

Mr. Ghosh Maulik moved another amendment imposing on the Government obligation to obtain monthly reports of the health of detenus for submission to the Central Legislature and the Bengal Council. The amendment ran as follows:—

"3. Where in exercise of the powers under section 2, any person is committed to custody in a jail outside Bengal, the Government of India and the Local Government shall obtain a full report at least once a month regard-

ing the heath, comfort and conditions of detention of every such person, and such reports shall be laid before either House of the Central Legislature as well as before the Local Legislative Council at each session thereof."

Mr. H. W. Emerson said that that procedure was unnecessary and pointed out how already, through questions, members of the Legislature were obtaining all available information relative to the health of detenus.

The amendment was lost.

MR. GHOSH MAULIK'S AMENDMENT TO CLAUSE 4 LOST

A third amendment was moved by Mr. Ghosh Maulik to Clause 4. It urged the Government enabling application to be moved on the ground that arrest or detention was not in accordance with the procedure laid down in the local act or the present bill, and the merits or grounds of such arrest or detention should not be called in question on such application. The amendment ran thus:—

"4. That at the end of clause 4, the following words be added:—

"Provided that nothing in this section shall bar an application on the ground that the arrest or detention is not in accordance with the procedure laid down in the local act or the local act as supplemented by this Act, but the merits or grounds of such arrest or detention shall not be called in question on such application."

The amendment was lost by 21 against 5 votes.

SIR DAVID DEVADAS'S AMENDMENT TO CLAUSE 4

Along with this there was also another amendment moved by Sir David Devadas for the deletion of clause 4. There was a general support from the non-official side of the House for the latter amendment.

The Law Member opposed it on the ground that the Bill dealt with abnormal situations. The local Act might be a bad law but it was the law of the land and anyone arrested under it was bound by the provisions of clause 4. Deletion of clause 4 would take away the very object of the Bill, namely, the protection of informers, and expose them to a danger to their lives.

APRIL 5, 1932.

CAPETOWN AGREEMENT

Sir Fazli Hussain read a statement regarding the result of the conference between the representatives of India and the United Government which met at Capetown last January. The text of the agreement will be found under Assembly proceedings.

Hon. Mr. G. A. Natesan * and Hon. Mr. Ramsaran Das wanted a separate day to be allotted for discussion during the Simla session, to which Sir Fazli Hussain agreed.

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* Mr. G. A. Natesan, who was a member of the Government of India Committee to inquire into the condition of returned emigrants, made the following statement on the Capetown Agreement:—

"The agreement is fairly satisfactory and probably the best that could be desired in the present condition of things. Repatriation may be considered as dead. Exploration of other countries such as Brazil has advantages from the point of view of the younger generation of Indians in South Africa, who are faced with unemployment consequent on the White Labour policy. Regarding the Transvaal Land Tenure Bill, the deletion of Clause Five takes away the sting of segregation. The promise of the minister to set up a court to validate the sites for Indian occupation is also hopeful. The clause which will be added to the bill taking away from municipal bodies the formal right of granting trading licenses is of the greatest importance."

BENGAL DETENUS TRANSFER BILL (Continued)

SIR DAVID'S AMENDMENT LOST

The House further considered Clause 4 of the Bengal Detenus Transfer Bill. The amendment of Sir David Devadas was lost.

CLAUSE 4 CARRIED

Hon. Mr. S. C. Ghose Maulik doubted the sincerity of Government in carrying out the assurances made by them. Owing to the uncompromising attitude of Government in rejecting all reasonable safeguards, suggested by the members, he strongly urged the rejection of Clause 4 which when put to vote was however carried by nineteen votes against nine.

THIRD READING OF THE BILL

Sir David Devadas, speaking on the motion for the third reading, pleaded that there ought to be a safety-valve against any wrongful arrest for detention. His contention was only that in very exceptional cases the High Court should interfere under Section 491, Criminal Procedure Code. The speaker regretted Government's lack of trust in High Court. Though he lost his amendment to delete clause four, he wholeheartedly supported the Bill.

Syed Hussain Imam, opposing the entire Bill, pointed out how the policy of mailed fist in Ireland had failed. As long as this system of rule by Ordinances should be continued, there was little hope for peace in the country. The schools and colleges produced like machines large number of educated youths in the country, and unless liberal reforms were introduced and a national programme were set up to employ these youths, Government would miserably fail in their object.

Hon'ble Mr. G. A. Natesan said that it was a tragedy beyond description that Bengal, the home of the pioneers of social reform, education, art and science, should at the same time be the field for nurturing terrorists. He hoped that the new Governor of Bengal, who had enough experience in Ireland, would take a great step to initiate commercial and industrial plans to provide the unemployed and misguided youths.

Mr. H. W. Emerson thanked the members for their support, even though the measure was a repugnant one. He repeated that the assurance given in regard to this Bill would be strictly observed. The Government of India, as well as the Bengal Government, were in agreement that detention was not completely the remedy for wiping out the revolutionary movement. Every effort was being made to evolve a constitution which would be acceptable to all people of India and which would go a long way in meeting the demands even of those who are not in agreement. It was unnecessary to say that the Government of India would give the Bengal Government and the head of the province every measure of support, not only on the preventive side, but equally on the constructive progressive fields.

Concluding, Mr. Emerson hoped that the present Bill would cease to have effect long before the period, for which the enactment provided, not because that the powers of Government had surrendered while the necessity existed but because there was no further necessity for such a measure to remain on the statute book.

BILL PASSED

The Bill was passed.

BENGAL LEGISLATIVE COUNCIL

PROCEEDINGS OF THE COUNCIL

THE summer sessions of the Bengal Legislative Council concluded on April 1. The day was mainly devoted to questions and answers. Among other business transacted were the formal introduction of Bengal Municipal Bill, 1932 and the passing of the Bengal Rhinoceros Protection Bill.

APRIL 1, 1932.

BENGAL RHINOCEROS PROTECTION BILL

Discussions were resumed on the Bengal Rhinoceros Protection Bill, introduced on March 31, 1932 by the Hon'ble Sir A. K. Ghuznavi to provide for the preservation of wild rhinoceros which was fast getting extinct due to organised poaching. A number of amendments were moved and rejected or agreed to. The Bill thus amended was put to vote and passed.

BENGAL MUNICIPAL BILL, 1932

The Hon. Mr. B. P. Singh Roy introduced the Bengal Municipal Bill, 1932, which aimed at consolidating and amending the law relating to municipalities in this province.

In introducing the Bill, the Hon. Minister said that, if passed into law, it would introduce important and salutory changes in the municipal administration of this province, would democratise the constitution and would be the first experiment in extended franchise. "It will," he continued, "place powers of additional taxation in the hands of the representatives of the ratepayers to enable them to undertake schemes of town improvement and schemes conducive to the health and happiness of the people.

"If proper use is made of this measure, with imagination, foresight and tact, it may be reasonably hoped that in 25 years' time our towns instead of being conglomerations of unhealthy houses built with utter disregard of hygienic rules, served with dusty narrow roads and instead of being the dumping grounds of all nuisances as they are at present—will be transformed into beautiful urban areas with well-planned houses, broad, clean and well-lighted streets, with an abundant supply of filtered water and nice open spaces, where healthy children will play and develop as able and useful citizens."

REASONS FOR INTRODUCING THE BILL

It was stated that although the existing Act, which had been in force for nearly 50 years, was still wide enough in its scope to meet the needs of many towns in Bengal, it naturally failed to reflect or provide for several new developments in municipal administration which merited the attention of even petty municipalities.

Explaining further the reasons for the Bill, the Hon. Minister said that there was quite a large number of municipalities whose population, education, wealth and importance as centres of commerce and industry, justified increased popular control over civic administration and power to undertake useful projects for improving the health and comfort of the citizens.

Many problems and factors like the presence of a large labour population, housing, adequate supply of drinking water, proper lighting, supply of pure food and building of houses with due regard to hygienic rules, con struction of streets to accommodate growing traffic—were problems not adequately provided for in an Act passed half a century ago. To meet some of these difficulties, amendments of certain sections of the Act were undertaken in 1886, 1894 and again in 1896. But the Government had felt the need of a comprehensive amendment of this Act ever since 1905 and they desired to re-enact the measure as a whole on more modern lines.

Nothing, however, materialised till 1925, when a Bill, drafted during the ministry of the late Sir Surendra Nath Banerjea, was introduced in the Council by the late Maharaja Bahadur of Nadia, then in charge of the Department of Local Self-Government in the absence of a Minister. But unfortunately, the introduction being opposed, the Bill was thrown out. Last year, following the meeting of a Committee at Darjeeling, the present Bill was prepared.

SALIENT FEATURES OF THE BILL

Dealing with the salient features of the Bill and the principal improvements contemplated, the Minister said that, as regards constitution, the schedules in the present Act providing for the appointment by the Government of all the commissioners and the chairman had been abolished and the proportion of elected commissioners has been increased to three-fourths instead of two-thirds in the case of average municipalities, while, in certain advanced municipalities, the proportion of the elected had been raised to four-fifths.

In view of the administrative difficulties which might arise in the formation of a new municipality, the Government had retained power in such cases to nominate all the commissioners for a period not exceeding one year.

To safeguard the rights of minorities under this wide extension of the elective system, the Government had, in this bill, taken the power to alter the number of commissioners to provide specially by rule for the representation of minorities, and, in the case of industrial areas, to increase the number of nominated commissioners or to provide for the proper representation of the industry or labour and of other inhabitants not directly connected with the industry by special electoral constituencies in each case.

The franchise had been greatly widened. and provision made against the commission of corrupt practices or the using of undue influence, and a special procedure had been prescribed for the prompt disposal of election disputes.

Provision had also been made for the election of more than one Vice-Chairman and the appointment of a whole-time Executive Officer for large municipalities. Statutory recognition had been given to the formation of standing committees.

Government Control

The next point, the Minister said, was control by Government. By increasing the elective element in municipal boards, Government had abandoned its old system of "internal control." The popular voice had been thereby given greater freedom in the direction of policy and the details of administration. At the same time a very large extension of powers over the property and personal rights of the ratepayers had been given to the popular representatives. The function of the State was to secure the proper exercise of discretion by the Commissioners without undue interference with the principle of local autonomy and that could only be effected by vesting Government with adequate power of "external control."

The Bill provided a new and alternative method of intervention, as empowering the Local Government, where default, mismanagement or abuse of power was proved, to dissolve the municipal board instead of superseding or suspending its constitution.

Finance and Taxation

Important changes, he continued, had been introduced with regard to municipal finance and taxation by the proposal to abolish the existing tax to persons. That tax was difficult to assess, and gave rise to widespread complaints of unfair incidence. The rate on holdings was a far more scientific and satisfactory form of taxation and it was desirable that it should be adopted throughout.

A further important innovation was the proposal to create a panel of municipal assessors. Re-assessment was undoubtedly at present a weak point in some municipalities, and, in providing for the creation of a body of independent and impartial assessors, the Government were merely adopting a system which had always been in force in the democratic municipalities in Great Britain.

BILL REFERRED TO A SELECT COMMITTEE

The Bill was referred to a Select Committee consisting of Mr. S. M. Bose, Khan Bahadur Maulvi Alimuzzaman Chaudhuri, Rai Keshab Chandra Banerji Bahadur, Khan Bahadur Maulvi Azizul Haque, Rai Satyendra Kumar Das Bahadur, Munindra Deb Rai Mahasai, Mr. Narendra Kumar Basu, Khan Bahadur Maulvi Muhammad Abdul Momin, Mr. J. E. Ordish, Mr. C. W. Gurner, Babu Girish Chandra Sen, Mr. Khetter Mohan Roy, Khan Saheb Maulvi Muazzam Ali Khan, Mr. Abul Kasem, Mr. S. C. Bal, Mr. W. C. Wordsworth, Mr. J. L. Banerjee, Mr. A. F. M. Abdur Rahaman and the Hon. Mr. B. P. Singh Roy.

INTERPELLATIONS

ILL-TREATMENT TO SJ. DHIRESH CHAKRAVORTI

Interrogated on the alleged ill-treatment to Sj. Dhiresh Chandra Chakravorti, Editor of "New Era" (a Nationalist English Weekly of Calcutta) who was convicted under Section 117 I. P. C. and sentenced to two years' rigorous imprisonment by the Sub-Divisional Officer of Munshigunj on or about the 25th January last and was removed from the Munshigunj sub-jail to the Dacca jail on or about the 27th January in a hand-cuffed state, the Hon. Mr. W. D. R. Prentice admitted the fact and added that while Dhiresh Babu was being taken along the road, a European police officer who was in the thana by the roadside rushed out and assaulted Dhiresh Babu with a blow but there was a certain amount of provocation, and the officer was totally unaware that Dhiresh Babu was hand-cuffed. His spectacles were broken, but he was not rendered unconscious. It was given to understand by Mr. Prentice that action was being taken, both in respect of that occurrence, and with a view to avoid the recurrence of such incidents which Government believed to be rare, and of which they entirely disapproved. Further questioned, the Hon. Member stated that the report of provocation came from the District Magistrate and that no statement was taken from Dhiresh Babu.

TREATMENT TO LADIES IN LOCK-UP

The Hon. Mr. W. D. R. Prentice told Mr. S. M. Bose that on February 25, three Hindu ladies viz., Miss Santi Neogy B.A., Miss Bina Das Gupta and Mrs. Niraja Bhattacharya, were arrested along with others for being members of a procession in the streets of Calcutta. The Hon. Member admitted

that during their detention in the lock-up at the Jorasanko thana or at Lalbazar, their guardians were not permitted to supply them with food. Asked if it was a fact that they remained without food till the next day, the Hon. Member, replying in the negative, said that they had food about 6 p m. on 25-2-32 and 7 p.m. on 26-2-32. Asked if it was a fact that at Lal Bazar their ornaments including bangles and 'sankha' and 'loha' were taken off and removed, Mr. Prentice stated that on request, they made over bangles, earrings and neck-chains.

The Hon. Member denied the suggestion that the ladies strongly protested against such removal or that, under threat of removal of the ornaments by force, they were compelled to take them off themselves.

He confessed that the Government were not aware that removal of the ornaments mentioned was regarded as a sign of widowhood. The Hon. Member added that the trying Magistrate Mr. Wazid Ali directed that ornaments necessary according to religious custom should be given back to the ladies.

VISITOR FOR HIJLI SPECIAL JAIL

The Hon. Sir B. B. Ghose informed Mr. R. Maiti that there was no Hindu non-official visitor for the Hijli Special Jail. The reason, he added, was that, through a misapprehension, the Additional Special Jail at Hijli had been regarded as a sub-jail and under the rules for sub-jails two gentlemen who happened to be non-Hindus were appointed non-official visitors. The Divisional Commissioner was being asked to treat the jail as a district jail for which three gentlemen visitors were prescribed and to appoint one Hindu non-official visitor and two lady visitors.

UNEMPLOYMENT PROBLEM

Answering Mr. S. C. Roy Chowdhury, the Hon Mr. Faroqui said that it had not been found feasible to initiate any practical measures for tackling the unemployment problem. Government did not keep any record of the number of those unemployed nor did they consider the preparation of an annual census of unemployed to be a practical proposition. Government recognised that unemployment due to economic stress was one of the causes which had contributed to the commission of crimes against property. And although Government did not think that with the limited resources at their disposal they could do much to mitigate the effects of unemployment, Government were prepared to consider any scheme which would help to solve unemployment and consequent economic distress among the middle classes. With that end in view an informal meeting of officials and non-officials was recently held and the Committee's conclusions were now under consideration.

SELECT COMMITTEE REPORT ON BENGAL MUNICIPAL BILL

The Report of the Select Committee which was appointed to consider the Bengal Municipal Bill, 1932, introduced in the Bengal Legislative Council on April 1, 1932, was published on June 30. The Report contains 9 minutes of dissent.

The Committee does not think that the bill has been so altered as to require republication and recommends that the Bill as amended by it be passed by the Council.

MAIN CHANGES

The following are, among others, the principal changes made in the bill:—

The disqualification of women to stand as candidates for election as Commissioners has been removed, as there is no longer any justification for excluding women from these offices. The franchise has been extended to women by removing their disqualification to be voters at municipal elections. Payment of any sum, however small in amount,

as municipal rates, tools, fees and taxes by persons who are residents for a period of 12 months immediately preceding the election has been made one of the qualifications of voters. The mere payment of income-tax as a qualification of a voter has been omitted as in several cases refunds are claimed and obtained although income-tax is paid by deduction at the source on some incomes which are not really assessable to income-tax. The educational qualification of voters has been reduced to the passing of Matriculation or equivalent examination of the Calcutta and Dacca Universities.

Sub-clauses (2). (3), and (4) have been omitted as it is not desirable that the election of Chairman shall be subject to the approval of the Local Government. New sub-clause (2) makes it clear that the appointment of Chairman by the Local Government is to be ordinarily confined to non-official Chairman of the municipality. The election of Chairman is not subject to the approval of the Local Self-Government. The removal of a Commissioner for misconduct has been made subject to a recommendation by a two-thirds majority of the Commissioners at a special meeting. In sub-clause (2) (a) the disqualification is now confined to conviction of an offence involving moral turpitude and the inquiry by the Local Government has been omitted. It is considered desirable that the appointment of Executive Officer, Secretary, etc., to be made on the requisition of Government should be made only after consultation with the Commissioners. The pay of these officers should also be fixed by the Commissioners at a meeting subject to the approval of the Local Government. Sub-clause (4) has been revised so as to provide that except in the case of Sanitary Inspectors the provision about the appointment of Executive Officer, Secretary, etc. shall not apply to municipalities whose income is less than fifty thousand rupees. A new clause (86A) has been inserted as it is desirable to give the Commissioners power to hold and acquire movable and immovable properties within or without the municipality.

The clause which requires that rules and by-laws made by the Commissioners under the Act shall not take effect unless and until they have been submitted and confirmed by the Local Government has been retained. Sub-clause (4) has been omitted as it is considered desirable by the Committee that even model rules when adopted by the Commissioners of a municipality should be confirmed by the Local Government. Sub-clause (2) has been recast to provide for three alternative actions by the Government after the order of suppression under clause 538. The Local Government has been given power to reconstitute the municipality even before the expiry of the period of supersession. Chittagong has been included in the list of municipalities in which four-fifths of the total number of Commissioners shall be elected and the remaining one-fifth appointed by the Local Government. Howrah and Dacca are the other two municipalities that were included in this list in the original bill.

S. D. O.'s Power Taken Away

The Sub-divisional officer has been deprived of the power to inspect municipalities within his jurisdiction.

Seats For Minority Community

A new clause has been inserted in the bill (clause 17 A) which reproduces the principle underlying sub-clause 2 of clause 18 and states that the Local Government may by rule make necessary provision for representation of any minority community within a municipality. The addition made in sub-clause (1) is with the object of giving power to the Government to fix the number of Commissioners to be elected from each ward of a municipality.

Electoral Roll Committee

In order to secure the purity of election the duty of the preparation of the electoral roll has been entrusted to a committee of three persons instead of to the Chairman alone. The provision about the approval of the Local Government to the delegation of powers to the Vice-Chairman has been deleted as it was unduly restrictive.

Provision has been made for a deposit of rupees one hundred by candidates to avoid candidates filing candidatures without bona-fide intention of contesting election.

OPPOSITION TO THE BENGAL MUNICIPAL BILL

The Bengal Municipal Act (Amendment) Bill, 1932, was strongly criticised in the All-Bengal Municipal Conference held in Calcutta on June 25. Mr. Barada Prosanna Pain, the Chairman of the meeting, thought that the present Bill, quite good in parts but very bad in others, was a Bill of unjustifiable and unaccountable retrogression in many respects.

The good points in the Bill were the increased elected representation, the doing away with the two schedules under the present Act providing for appointment by Government of all the Commissioners and of the Chairman of Schedule II Municipality, the provisions about the widening of the franchise, the wide powers of control given about

SELECT COMMITTEE REPORT ON VILLAGE SELF-GOVERNMENT (AMENDMENT) BILL

The principal changes made by the Select Committee on the Bengal Village Self-Government (Amendment) Bill, 1931, introduced in the Bengal Legislative Council by Munindra Deb Rai Mahasai, are:

It has been provided in Clause 2 of the Bill that the small irrigation projects should be subject to the sanction of the Commissioner.

It was not considered desirable that contributions should be made to libraries under private management.

Clause 4 of the Bill has been omitted as being unnecessary.

The report of the Select Committee has been signed subject to minutes of dissent by three members.

MINUTES OF DISSENT

Mr. Munindra Deb, Rai Mahasai, in the course of his minute of dissent, states: "It is unfortunate that Clause 4 of the Bill has been deleted. It should have been so amended as to make it obligatory to the District Boards to set apart a certain percentage of its income for aiding Union Boards. This would have served as an incentive to the latter to undertake works of public utility by raising funds under Section 37 (B) of the Bengal Self-Government Act of 1919. The present provision in the Act that the "District Board shall make a suitable grant-in-aid" in case the Union Boards impose taxes under Section 37 (B), is vague as the suitability of the grant has been left entirely at the mercy of the District Boards. In my opinion, a definite percentage (at least 50 per cent) should be fixed to be given to the Union Boards under Section 45 for expenditure by themselves, and Government should have no hesitation in enforcing this fixed percentage by making proportionate deductions from the augmentation grant and paying them direct to the District Magistrate for distribution among the Union Boards. Unless this is done, Union Boards will never be treated really fairly by District Boards, and it is most important in every way that Union Boards should be helped and encouraged as much as possible."

Dr. Naresh Chandra Sen-Gupta, in his note of dissent, sympathises with the proposals for expanding the powers and functions of the Union Boards such as are contemplated by this Bill. But he feels that such provisions must remain mere pious declarations unless some means is found to add to the funds of the Union Boards He is afraid that the introduction of these clauses might encourage the diversion of the exiguous resources of the Union Boards to these purposes to the neglect of other more urgent functions.

Mr. J. L. Banerjee says in his note of dissent, "I do not understand why the Union Boards should have to wait for the "sanction of the Commissioner" even in undertaking "small" irrigation projects. This sort of thing is enough to stultify the activities of local self-governing institutions and destroy whatever power or initiative they might be expected to possess."

Bustees, over construction of buildings and for the control of infection, and the provisions relating to the manner of realisation of rates and taxes

He enumerated instances where the Bill may be sad to be definitely retrograde and re-actionary as follows: (1) Separate electorates, (2) Power of Government to make rules, and (3) Social boycott disqualification. Pointing out his other objections to the Bill, Mr. Pain said that they ought to express their strong disapproval of section 63 of the Bill. The Commissioners of a Municipality should be free to decide the kind of officers they should employ, and to fix their salaries and allowances and Government dictation on these matters would lead to continual friction and bitterness. Section 131 was an unwarranted interference with the right of the Commissioners to choose their own officers, to compell them to choose their Assessor from a list prepared by Government and ought to be strenously resisted As regards section 133 it appeared to be ridiculous to suggest that the Appeal Committee of three should include an outsider appointed by the Local Government.

Regarding the provision enabling the Local Government to require the Commissioners of certain Municipalities to appoint an Executive Officer, Mr. Pain thought that this should be left to the Commissioners as a matter of their own free will. He was not enamoured of section 442 empowering the Local Government to prescribe the percentage of income of certain Municipalities which shall be applied to the purposes of primary education. He was opposed to this Government intervention.

TERM OF COUNCIL EXTENDED

The term of the Bengal Legislative Council was due to expire in July but, in view of the fact that two important official bills, namely, the Bengal Municipal Amendment Bill and the Bengal Rural Self-Government Bill had passed the Select Committee stage and awaited the final decision of the Provincial Legislature, the term of the Council was extended by one year. A notification by H. E. the Governor of Bengal dated the 27th June stated:—

"In exercise of the power conferred by proviso (b) to sub-section (1) of section 72-B of the Government of India Act, I hereby extend the term of the Bengal Legislative Council for a period of one year from the 1st July 1932; the special circumstances in which I have thought fit to extend the term of the Council being—

(1) The existence of urgent business requiring the attention of the Council and

(2) Impending constitutional developments."

His Excellency appointed Monday, the 1st August, 1932, 3 p.m., as the time and the Council House, Calcutta, as the place for a meeting of the Bengal Legislative Council.

U. P. PROVINCIAL LEGISLATIVE COUNCIL

PROCEEDINGS OF THE COUNCIL

THE Summer Session of the United Provinces Legislative Council opened in Nainital on June 13, the Hon'ble Sir Sita Ram presiding.

JUNE 13, 1932.

A message from His Excellency the Governor, recommending reconsideration of a particular clause in the United Provinces Assistance to Tenants Bill was read.

It was announced that the Governor-General had assented to the U. P. Goondas Act, the U. P. Court Fees Amendment Act, the U. P. Stamp Amendment Act and the U. P. Land Revenue Amendment Act.

IMMORAL TRAFFIC BILL

Almost the whole day was devoted to the consideration of the Select Committee report on the Suppression of Immoral Traffic Bill which was moved by Mr. E. Ahmed Shah. The object of the measure was to check commercialised prostitution in the province. When, however, the third reading was moved, objection was raised by a Muslim member, which was upheld by the President.

NO-TAX CAMPAIGN IN U. P.

Replying to Mr. Chintamani, Mr. Blunt declined to give any information whether the local Government had been consulted on the question of the renewal of the ordinances or legislation in lieu thereof, on the ground that it was a confidential matter. About the no-rent campaign he stated that it was started in last December in five districts of the province. By the beginning of the following month nine districts had become affected. The launching of the civil disobedience campaign throughout India gave a great impetus to the movement which attained its greatest expansion in January. Thereafter, owing to action under the ordinary law and the ordinances, it declined and gradually became confined to areas from which it originated, specially Allahabad, Cawnpore and Agra. The last month saw an attempt to revive a general interest in the movement and there was no doubt that efforts were being made in a number of districts by means of pamphlets and unobtrusive propaganda to revive the no-rent campaign.

JUNE 16, 1932.

WOMEN ON DISTRICT BOARDS

The United Provinces Legislative Council passed the Bill piloted by Mrs. Kailash Srivastava to amend the United Provinces District Boards Act, with the object of providing more adequate representation to women on those bodies, especially when there was no chance for them to get in by election. The Act is aimed to enable the Government to nominate a woman member to every Board in the Province.

An amendment was carried by the Council that Mrs. Srivastava's Bill empowering the Government to nominate women on all district boards in

the province should remain in force only during the life-time of the present boards. Mr. Srivastava accepting that amendment said she expected that women would be enfranchised before the next election.

It may be mentioned that the Select Committee with the casting vote of the Chairman, the Hon'ble Nawab Mahomed Yusuf, inserted a provision in the Bill, to the effect, that in nominating a woman member, the Minister should not alter the existing communal proportion.

Among those who opposed the amendment was the author of the Bill herself, Mrs. Srivastava, who moved for its deletion.

In the course of the debate on the amendment, speakers belonging to both the communities complained that communalism had been sought to be introduced by the inclusion of the provision.

The Minister-in-charge, Nawab Mahomed Yusuf, observed that it was purely a matter of principle, and that there was no question of communalism. He added that if the principle was embodied, it would equally affect both the communities.

The motion to delete the amendment was rejected.

JUNE 17, 1932.

IMMORAL TRAFFIC BILL REJECTED

The following is the concluding portion of the debate on Mr. E. Ahmad Shah's bill for suppression of immoral traffic.

Mrs. Kailash Srivastsava felt disappointed at the attitude of those who opposed the bill. Referring to the fear expressed by Chaudhuri Muhammad Ali that rescued girls might be forced to change their religion, Mrs. Srivastava asked what was woman's religion but her moral character. She asserted there would be no dearth of rescue homes for girls who were rescued.

Nawabzada Liaquat Ali Khan said that he had listened with great astonishment and disappointment to the speeches of those members who had spoken in opposition to the Bill. As had been pointed out by the mover, the object of the Bill was not to stop prostitution altogether, but was to check the evil of commercialised vice. It meant that if any man on account of economic depression got hold of a few women and lived on their earnings by prostitution, that man should be punished. The Bill did not propose compulsory marriages for rescued girls but only proposed to take girls from evil surroundings and to give them a chance to choose any other profession. The speaker finally expressed surprise at a speech made by the Home Member and said it was very inconsistent for the Government to remain neutral after having participated in the division and debates on the previous day. The speaker concluded, " Every vote that will be given against the Bill to-day will be a vote in favour of organised commercial prostitution in this province."

Mr. E. Ahmad Shah, the mover, replying to the debate, emphasised that the Bill was not against prostitution as a whole but was only meant to deal with commercialised and organised prostitution.

The Bill was eventually rejected by the House by 35 votes against 30.

U.P. DISTRICT BOARDS AMENDMENT BILL

The United Provinces District Board Bill moved by the Education Member was then discussed. The Bill sought to ensure improved vernacular education in the rural areas. The opposition attacked the Bill on the ground that it encroached on the rights and privileges of autonomous district boards and their education committees. Several amendments were moved.

JUNE 18, 1932.

U. P. DISTRICT BOARD AMENDMENT BILL (Continued)

Discussions were resumed on the Bill to amend the District Boards Act. The opposition carried a number of amendments. One of them was that the chairman of the education committee, when appointed by the Government on the failure of the committee to elect one within 30 days of its constitution, shall not be a salaried officer in the service of Government. Another was that the vice-chairman shall exercise the powers delegated to him by the chairman of the education committee. The third was that by the vote of a majority of its members the education committee might get the deputy inspector transferred from the district. There was a prolonged and heated debate, which lasted for nearly three-and-a-half hours, on another amendment moved by Babu Ram Bahadur Saksena that the secretary of the district board should be the secretary of the education committee unless the committee itself desired to have the deputy inspector of schools as its secretary. The Bill, on the contrary, only provided that in every district the deputy inspector should be the secretary of the education committee. Mr. Sexena moved the substitution of the following clause for it: 'The secretary of the district board shall be the secretary of the education committee, provided that, if the committee so desires, the deputy inspector of schools shall be its secretary' Mr. Saksena gave a highly interesting historical account of the growth of vernacular education in the province since the district collector ceased to be the chairman of the district and municipal boards and said that every education committee since it was constituted was working under a serious handicap in having as its secretary the deputy inspector of schools, over whom the committee had absolutely no control. The result of that arrangement was that the deputy inspector was all-powerful and the chairman of the education committee actually became a dummy, though the chairman was entrusted with all powers over education previously exercised directly by the district board. Besides, in many cases the deputy inspector danced to the tune of the Education department and there was frequent friction between the education committees and the district boards, as a result of which the cause of vernacular education in several districts greatly suffered. To obviate all trouble, the speaker strongly advocated the appointment of secretaries of district boards as secretaries of education committees.

Mr. Jyotiprasad Upadhyaya moved another amendment that a two-thirds majority of the education committee could get rid of the deputy inspector-secretary if they so desired. An amendment to that amendment suggested the power of removal to be placed in the hands of a bare majority.

The Minister-in-Charge said that the Government would not accept Mr. Upadhyaya's amendment.

By 61 against 24 votes the Council decided to retain the provision in the Bill for deputy inspectors being appointed as secretaries of education committees and Mr. Saksena's amendment was therefore not put to the House.

Since Mr. Saksena's amendment fell through, Mr. Harrop, the Director of Public Instruction, rose to speak on that of Mr. Upadhyaya and resiled from the position adopted by Mr. Srivastava. He was willing to accept the principle of Mr. Upadhyaya's amendment but not the amendment itself and he was against empowering a bare majority of the education committee to remove the deputy inspector-secretary. He said the Education department would do the needful and adopt rules in the Educational code to accept the education committee's verdict. Mr. Chintamani pointed out that giving

power to more than a bare majority would be to empower the minority, and the Government's assurances, however earnest, could not take the place of a statutory provision. Nawabzada Liaqat Ali Khan exposed the conflict between Mr. Srivastava's and Mr. Harrop's statement. The amendment of Mr. Upadhyaya was then carried.

INTERPELLATIONS

COURT OF WARDS ACT

Replying to some short notice questions of Raja Jagannath Bakhsh Singh, Mr. E. A. H. Blunt, Finance Member, informed that the intention of the Government was to introduce a bill to amend the Court of Wards Act in the next session of the Council.

PRISONERS IN JAIL

Replying to Mr. Chintamani, Mr. E. A. H. Blunt, Finance Member, said, 'that the number of prisoners actually in jail on June 1 was 6,150 or 368 less than the number on May 1 and since most sentences were for a period not exceeding six months it will certainly fall very rapidly during the next few weeks. Anything further that I might say would be almost entirely an expression of opinion, not of fact, and as the hon. member knows, questions and answers must restrict themselves entirely to facts. It is, however, the Government's intention to issue at the end of this month or the beginning of the next a statement which will give in rather more detail the political history of the last six months.'

RELEASE OF POLITICAL PRISONERS

Replying to question of Hafiz Mohammad Ibrahim, the Home Member said that a number of prisoners convicted in connection with the political agitation had been released prior to the completion of their sentences. In ordering such releases the authorities had been influenced by the state of the prisoners' health, the nature of the offence and the likelihood of its being repeated. A number of persons had apologised and had been released on conditions which they had accepted. Others had not accepted any conditions, but had been served with orders under the Emergency Powers Ordinance to refrain from similar offences in future. The Government could not say how many such prisoners had been released before their sentences expired without making a detailed inquiry from every district which would take time. Formal orders were issued by the Government in every case under sec. 401 of the Criminal Procedure Code, but the district officers were authorised to release in anticipation of such orders. Information is possession of the Government was not complete.

JUNE 20, 1932

DELAY IN ANSWERING QUESTIONS

Non-compliance with standing orders in the matter of answering questions in the most prompt manner possible was strongly commented on by the President, the Hon. Sir Sita Ram.

The order paper showed that answers to two questions asked by Mr. Chintamani had been postponed at the request of the Government.

The question related to the health of Pandit Jawaharlal Nehru, Pt. Govindballabh Pant and two other political leaders then in jail and as to whether or not the District officers had been asked by the Government or any member thereof assist in obtaining financial support to the "The Pioneer" newspaper.

As regards the first question the President observed that if the answer was postponed till October, the matter would perhaps cease to be of any public interest. He added that if in the future these orders were not com plied with and postponement was asked for on grounds which were not adequate, the Chair would have to see what to do. He hoped that the Chair would not be compelled to take action.

The Finance Member; the Hon. Mr. E. A. H. Blunt, as Leader of the House, regretted that there had been those complaints, and that there had been grounds therefor, and promised to do his best to see that there was no occasion for them in the future.

U. P. DISTRICT BOARD ACT PASSED

Without a division the Council then accepted the Bill moved by the Minister for Education, the Hon. Mr. J. P. Srivastava, to amend the United Provinces District Boards Act.

JUNE 21, 1932.

Questions to which attention was invited by the President on the previous day were answered that day by the Home Member, who said that the Government had no information regarding the present condition of the health of the four political leaders then in jail Inquiries were being made as to their health.

As regards the query concerning the *Pioneer*, the Finance Member stated the day before that the answer was an emphatic "No." Later in the day however he qualified the answer and said that it was an emphatic "No" except for one member of the Government whose name need not be mentioned because it was well known.

The Council voted Rs. 12,518 for the department of Publicity and Reforms by 59 votes to 16 as well as other supplementary demands for grants.

It also passed Mrs. Kailash Srivastava's Bill to amend the United Provinces Municipalities Act to ensure greater representation of women on those bodies

The Council was then adjourned sine die.

PUNJAB LEGISLATIVE COUNCIL

PROCEEDINGS OF THE COUNCIL

THE April-May session of the Punjab Legislative Council commenced at Lahore on April 28. The House took into consideration the Punjab Municipal Amendment Bill, Anti-Picketting Bill and Molestation Bill, Punjab Municipal Bill, Reduction of Crop Dues, etc.

APRIL 28, 1932.

PUNJAB MUNICIPAL AMENDMENT BILL

Municipal Amendment Bill was sponsored by Dr. Gokalchand Narang, Hon. Minister for Local Self-Government. It sought to increase Government control over the municipalities and to check waste of municipal funds, if there be any. The Bill further sought to authorise officials to suspend or prohibit the doing of acts in excess of powers conferred by law to self-governing bodies, or acts contrary to the interests of the public or likely to cause damage to municipal property or likely to lead to a breach of peace, or to encourage lawlessness, or to cause injury or annoyance.

Dr. Narang presented to the House the report of the Select Committee on the Bill. Objections were raised by non-official members to the presentation of the Bill on the grounds of illegality or irregularity. They alleged that the report that was being presented was not the same as that signed by the Committee and that it contained certain clauses which went beyond the scope of the Bill, and suggested the raising of taxation for the maintenance of an Inspectorate for inspecting the municipalities.

The Minister, explaining, stated that originally the report consisted of 48 paragraphs and it was duly signed. The present report, contended the Minister, was the same with the addition of five paragraphs and besides that addition was made with the knowledge of the Select Committee. The President upheld the objections and ruled that the report was irregular, being improperly signed.

The Minister then sought the permission of the President to present the second report which was also disallowed on the ground of irregularity as it contained a proxy signature of a particular member.

The President held further that the meeting of the Select Committee having been concluded, the Committee was a defunct body and the Bill could not further be proceeded with. The only course that remained was to introduce a fresh bill.

BILL TO PROTECT CERTAIN ANIMALS

On the motion of the Revenue Member the House agreed to refer to a Select Committee the Bill protecting certain wild animals.

MAY 5, 1932.

ANTI-PICKETING BILL AND MOLESTATION BILL

The non-official Picketing and Molestation Bill which proposed to penalise all forms of picketing and loitering was discussed in the Council. The author of the Bill, Mr. Faiz Mohamad, introduced the report of the

Select Committee which was characterised as illegal by Mr. Mohanlal, on the ground that not only the Bill had not been signed properly by the Committee Members, but that its contents were incorrect.

Mr. Sale, the Legal Remembrancer, who acted as the Secretary of the Select Committee, admitted that signatures of the Members of the Select Committee were obtained on blank papers. The Minister of Local Government, in supporting the report, said that the President had no jurisdiction to decide on the legality of the bill. The President, on, the other hand, held that he had ample jurisdiction to question the legality of any bill even if not objected to by the members and, in support of his view, cited prcedents in the Legislative Assembly where the Press Bill was thrown out on the ground that it was not properly published in the official organ.

Rising on a point of information, Captain Sikandar Hayat, Leader of the House, asked as to what steps the House could take against the members of the Select Committee if they refused to sign the report. The President observed that disciplinary action could be taken against them.

The President ruled that the Bill was thrown out and that a fresh Bill, would have to be introduced.

CLASSIFICATION OF PRISONERS

The Finance Member, replying to an interpellation by Lala Jyotiprasad, admitted that Swami Raghunath Das, Lala Kanhaiyalal and Lala Manoharlal, all of Bhiwani, who had been convicted in connection with the present Congress movement, were degraded from " B " division to " C " division in spite of the recommendations of the trying Magistrate to the contrarv

Replying to another interpellation by the same member, the Finance Member stated that up till now 1,133 persons were convicted of whom only 20 were placed in the " A " division and 54 in the " B " division and the trying court's recommendation for better classification was reiected in 28 cases only.

Replying to another interpellation, the Finance Member said that 88 ladies had been convicted up-to-date of whom only 6 were placed in the " A " division, 31 in the " B " division and 51 in the " C " division.

MAY 6, 1932.

REDUCTION OF CROPS DUES & RAILWAY FREIGHT

Two resolutions were passed by the Punjab Legislative Council.

The first recommended to Government that all dues for 'rabbi' crops to this year throughout the province be reduced by 50 per cent., and the second resolution recommended to the local Government that urgent representation be made to the Government of India advocating the necessity for the reduction of railway freights on food grains generally, and that immediate reduction be made in respect of food grains carried to the Ports of Calcutta and Karachi in particular.

A gloomy picture of the economic condition of the agriculturist was painted by speaker after speaker while discussing the first resolution.

Khan Bahadur, Captain Sikandar Hayat Khan, Revenue Member, appreciated the plight of the zemindars owing to the drop in the prices of produce, but pointed out that the enormous remissions granted totalled so far four and a half crores of rupees. Government had also reduced their expenditure and were in favour of further remissions. The Retrenchment Committee had recommended a saving of Rs. 240 lakhs, and Government had already effected savings to the extent of two crores of rupees; but

further savings had been stopped by the members themselves, who urged the abandonment of that scheme of retrenchment for that.

The Revenue Member opposed the resolution on the ground that it urged a uniform reduction of 50 per cent, and not a reduction according to the extent of distress in particular areas. Ultimately the resolution was carried by 41 against 24 votes.

Khan Bahadur Captain Sikandar Hayat Khan expressed full sympathy with the second resolution about the reduction of freights and promised to forward to the Government of India the views of the Council on the matter.

MAY 10, 1932.

PUNJAB MUNICIPAL BILL (Continued)

When the Council met Sardar Habibulla Khan drew the attention of the House to certain articles which had appeared in the local Press in connection with the recent ruling given by the President on the Municipal Amendment Bill and said that it amounted to a breach of the privilege of the House.

The President stated that the Press was at liberty to criticise his ruling without imputing any motive or accusing him of partiality. Even the High Court's orders are criticised without imputing any motive to the judges. But as far as Parliamentary practice was concerned, Members of the House could criticise any ruling of the Chair on the floor of the House only. But if they did so outside, that amounted to a breach of privilege. Any member was at liberty to bring a vote of censure against him but if they wanted to criticise and drag the Chair in the Press, he could not help if the House did not inflict any punishment for such a breach of privilege. The House, however, could simply disapprove of the action of the members concerned.

On the suggestion of the Leader of the House, discussion on that matter was adjourned and Government business was taken up.

Dr. Gokulchand Narang withdrew the old Municipal Amendment Bill and introduced a new bill of a similar nature for the better control of municipalities in the Punjab. He also moved for its reference to a select committee.

The Hindu Party supported the measure, while the Unionist Nationalist Party, consisting mostly of Moslems and almost entirely of rural members, opposed the Bill tooth and nail, on the ground inter alia that the Bill took away the powers given to the people under the last Reforms.

Mr. Marsden, Secretary for Local Self-Government, said that there was no doubt that the Municipal administration in the Punjab was a failure. Auditors had complained to the Government that their objections were not being attended to and that there was no use auditing municipal accounts. The Government were being pestered with complaints by people in and outside the province about non-payment of bills by Municipalities and other matters. Another terrible evil was the deliberate dishonesty in the Municipalities. There had been a regrettable increase recently of embezzlement of municipal funds by the municipal staff. He gave innumerable instances in support of his allegations.

Both the motions of Dr. Gokulchand Narang for leave for introduction and for reference to a select committee consisting of 14 members were carried by an overwhelming majority. The four members of the Unionist Party, however, refused to serve in the Select Committee as the Leader of the Party thought that his party was inadequately represented in the Committee.

FRONTIER LEGISLATIVE COUNCIL

FIRST ELECTIONS IN N.-W. F. PROVINCE

WITH the extension of reforms to the North-West Frontier Province which had been raised to the status of a Governor's province under the Government of India Act, 1919, preparations were being made early in April for the constitution of the first Legislative Council. According to the constitution the house would consist of forty councillors, 28 of them being elected members. Polling began on April 7 and lasted till Apirl 13. The first elections were held with comparatively little disorder but an attempt was made by the Red Shirts, the followers of Frontier Gandhi, to boycott them as a protest based on the idea that the reforms were being thrust upon a hostile or apathetic population while the natural leaders of a large and influential section of people were in gaol. The picketing of the polling booths and propaganda to persuade the voters to desist from recording their votes were partially successful inasmuch as these reduced the poll to about 10 p.c. in some constituencies. The police watched the movements and activities of the Red Shirts and dispersed them by lathi charges whenever the picketers refused to disperse when asked to do so. Unfortunately the situation at Mardan and Charsadda took a turn for the worse, as a result of which the police had to open fire. Of the 28 elected members, four were returned unopposed. Nawab Sir Abdul Qayum (Peshawar) was appointed Minister while Mr. U. B. Abdul Gaffar Khan of Zaida, a retired Sessions Judge of the Punjab Judiciary Service was made the President on a salary of Rs. 10,000 per annum.

INAUGURATION OF THE COUNCIL

The inauguration of the Council was made by His Excellency Lord Willingdon on April 20. The King's message which was read by His Excellency ran as follows:—

"Recently I had great pleasure in according my sanction to the elevation of the North-West Frontier Province to the position of a Governor's Province under the Government of India Act, and I rejoice that to-day you are celebrating the fulfilment of that decision. On peace and good government in the North-West Frontier Province depends in a great measure the security of India, and I look with confidence to the people of the Province, so to order their affairs that the momentous change, which my Viceroy is to-day inaugurating on my behalf, will conduce to the benefit of their province and of India as a whole. Through my Viceroy, I send to you, the people, of the North-West Frontier Province, and to your new Government and Legislature my warmest greetings. It is my earnest prayer that to-day's happenings may promote your lasting contentment and prosperity."

His Excellency the Viceroy recalled that thirty years ago, almost to the day, Lord Curzon himself visited the Frontier to inaugurate the new scheme of things that had secured for the Frontier a separate existence and an independent name. The Viceroy's message was the same on the present occasion. The Viceroy then referred to the unfortunate incidents and occurrences at Mardan and Charsadda during the general election and continued:

"So long as such activities continue, the Government must and will retain the powers which are necessary to meet them. If, on the other hand,

they abandon their unlawful acts and co-operate in working the constitution. I am confident that the Governor-in-Council will not be slow to suggest, nor the Government of India to approve, the relinquishment of powers which will then no longer be necessary. In the meantime, here, as elsewhere, it is our fixed determination to press on with constitutional reforms and we shall not be deterred by these unlawful activities from achieving the purpose we all have in view—a great federation of all the various interests and communities of this country. That federation, gentlemen, is an object worthy of the best energies which any of us can put forward and I ask you now to do your part to realise that equality of opportunity means equality of responsibility and show yourselves declared supporters of the reformed constitution by which alone true progress on the path of orderly advance is possible."

Continuing the Viceroy referred to the anxiety expressed in many quarters for the immediate repeal of the Frontier Crimes Regulation. That was a subject on which much might be said, but he wished at present to say that the Regulation procedure had recently been suspended by an executive order in Hazara and Dera Ismail Khan districts. He added: "The Governor now informs me that with the full consent of district officers concerned, he has decided similarly to suspend this procedure in the three remaining districts also, but as an experimental measure for a period of one year only. He and his officers are now engaged in considering in what other respects the operation of the Regulation can be modified and he hopes to make a further announcement on this subject shortly. Meanwhile, during that year, you will have an opportunity to study and discuss this question and present your conclusions to the local Government by whom they will be carefully considered. I ask you, gentlemen, to accept this as an earnest of the spirit by which the Government and its officers in this new province are animated and to respond to it in kind. Your co-operation in this spirit is needed for the times through which your province has been passing—times of no ordinary difficulty—and the task that confronts you is no easy one."

The Viceroy emphasised that the essence of the modern system of Representative Government was not arbitrary enforcement of the will of the majority. He looked to the Councillors to co-operate with the Government and to have no part or lot with those whose misguided patriotism had sought to lead them along paths alien to the traditional and oft-proved loyalty of the Pathan race.

THE FIRST SESSION

The first session of the Council commenced at Abbottabad on May 18 and lasted till May 27.

MAY 18, 1932.

PROVINCIAL BUDGET FOR 1931-32

The first provincial budget under the Reforms constitution was presented by Mr. C. H. Gidney, the Finance Member. Excluding the figures for the first seventeen days of April, 1932, the provincial receipts and expenditure for the current year were estimated at 65 lakhs and 159 and a half lakhs respectively. Subvention by the Government of India for the current financial year will amount to 95 lakhs and a net expenditure of 6 lakhs for the first 17 days of April will be adjusted in the budget of the Central Government.

In his speech introducing the budget estimates, the Finance Member said that with the help of the subvention the closing balance at the end of the year was expected to be nine and a half lakhs. "Ours is an economy budget," he said, "and a scrutiny of it will satisfy the members that every endeavour has been made to keep the expenditure down to a minimum consistent with good administration."

Dealing with the head "Police" he said that if there was no deterioration in the political situation, a reduction of 639 men in the police personnel was contemplated within the next few months, but should law and order be jeopardised, there would have to be an increase from the present budgeted expenditure of 33 lakhs.

Out of the resolutions of the Independent Party admitted by the President those recommending withdrawal of the Ordinances, release of political prisoners and the appointment of an Inquiry Committee on the working of the Ordinances were disallowed by the Governor.

MAY 19, 1932

ELECTION OF DEPUTY PRESIDENT

The second day's sitting of the Frontier Legislative Council was devoted to the election of the Deputy President and members of the three Standing Committees.

Nawabzada Allah Nawaz Khan having withdrawn his candidature, Khan Abdul Rahman Khan was elected Deputy President unopposed.

MAY 21, 1932

BUDGET DISCUSSIONS

Khan Bahadur Abdul Rahman Khan, Deputy President of the Council, continuing the debate, entered a strong plea for the fixation of the Central subvention at a figure adequate to the financial needs of the Province. He expressed the fear that with the introduction of central responsibility in a Federal system of government, the importance of the Frontier would be forgotten and it would be regarded as a white elephant, unworthy of such considerable subvention. As regards the budget itself, the only comment, he said, he had to make was that the spending departments, especially the Police, should be managed with the greatest economy possible. In this connection he appealed to the Government to lay aside the weapon of repression and, in a spirit of magnanimity and a far-sighted statesmanship, adopt a policy of conciliation which, he was confident, would be readily reciprocated by the people of the Frontier so that harmony might take the place of bitterness and opprobrium.

Mr. Habibullah Khan (Nationalist) was, however, constrained to say that the budget, as it stood, showed no change of heart and no solicitude for the toiling masses. It was not even an economy budget as the Finance Member had described it, because, while Rs. 33 lakhs out of a revenue of Rs. 65 lakhs had been appropriated for the police including extra police, no corresponding provision had been made for the welfare of the people. He declared that the Government was intent on the maintenance of law and order as though that was the *sine qua non* of its existence. He challenged the Government to point out even one instance in which it had acted in a spirit of appreciation of the new order of things or to win the people's co-operation.

Mr. A. J. Hopkinson, Secretary of the Transferred Departments, replying to the various charges, said that the Government was doing everything it could to show a change of heart if that could only be discerned. He

appealed to critics to remove the causes of friction. They would find the Government not a whit less prepared than they to ameliorate the condition of the people.

MAY 23, 1932

DEBATE ON DEMANDS FOR GRANTS

Voting on demands for grants was taken up by the Frontier Legislative Council. Only one demand, namely, of Rs. 2,97,000 for Land Revenue and Stamps, was passed, but several members attacked the land revenue administration and levelled charges of corruption against the department.

The House rejected the demand of Rs. 86,000 for Excise and Registration.

MAY 24, 1932

TOTAL CONVICTIONS

During question hour, it was stated that so far as the Frontier was concerned, between 25th December 1931 and 9th May 1932 the total arrests were as follows:—2,669 under the Ordinances; and 3,841 under the Criminal Law Amendment Act. The total convictions were 49 under the Ordinances; 4,263 under the Criminal Law Amendment Act; 92 under the Frontier Regulation; and 199 under the ordinary law.

DEBATE ON DEMANDS FOR GRANTS (Continued)

Voting on demands for grants was continued and six more demands were passed including Forests (Rs. 66,22,000), General Administration (Rs. 13,15,000) and Justice (5,50,000).

Token "cuts" were moved in respect of all the major demands, but were withdrawn following assurances from the members-in-charge that the grievances, to give expression to which the cuts were moved, would be thoroughly investigated and redressed, if possible.

DISCUSSION ON FOREST DEMAND

Replying to the criticisms of reckless expenditure and enforcement of "beggar" during the discussion on the Forest Demand, Mr. Hopkinson, Secretary to the Transferred Departments, said that the officers were strictly told not to countenance beggar and if any such charge could be proved, the offending officials would be punished. He pointed out that Forests were the chief asset of the province and it was the duty of every patriotic member to support the progressive policy of the Government regarding Forests, seeing that New Zealand with not even half the forest area of the province was making its forest pay many times more.

MOTION FOR "CUT" IN IRRIGATION GRANT

After the Forest Demand was passed without opposition, Mr. Abdul Ghaffar Khan moved a cut of Rs. 5 in the Irrigation Demand. It was pointed out by the speakers that an entirely disproportionate amount was being spent on the non-productive phases of irrigation such as the Upper Swat Canal and, although very high rates were levied from the agriculturists, the canals of of the Frontier were not paying propositions as were canals of the Punjab and the United Provinces.

The members from Dera Ismail Khan also demanded that something should be done to irrigate their arid tracts.

The Finance Member explained that Irrigation, as a whole, was a public utility concern and the capital expenditure undertaken thereon would give an adequate yield in the years to come, although he could not hold out any

immediate hopes that any particular limb of the irrigation system, which was at present unproductive, would become productive forthwith.

DEMAND FOR ECONOMY IN ADMINISTRATION

The cut of Rs. 5 in respect of the General Administration was withdrawn, after the Finance Member had given an assurance that the Government was fully alive to the need to the utmost economy and that retrenchment would be effected wherever possible. In this connection, the Leader of the Opposition Mr. Khuda Baksh asked the Government to examine the necessity of the annual exodus to the hills, pointing out that sessions courts functioned in the plain just as well in summer as in winter.

In regard to the administration of Justice it was suggested that efficiency and not any other consideration should be the basis of recruitment to the magistracy. It was also observed that judges were never punctual in starting their day's work.

DISCUSSION ON JAILS GRANT

Discussion on the Jail Demand was enlivened by many fervent speeches, the Nationalist members declaring that the conditions inside jails were horrible beyond description.

Mr. Hopkinson replied that he also had been a prisoner during the War and had gone through similar experiences.

Pir Baksh Khan, Mr. Habibullah, Mr. Abdul Qaiyum Khan, Mr. Nur Baksh and Mr. Abdul Rahim Khan all appealed to the Government to do away with the flogging of political prisoners on their uncovered body and the order denying any sort of interviews to politicals. They said that such treatment rankled in the public mind and one, whose self-respect had been wounded while his personal liberty had also been forfeited, remained an enemy throughout life. This was what the Government was laying in store for itself in the future.

Mr. Abdur Rahim Khan added that if Mr. Gandhi had great respect for the English people, it was in a great measure due to his being treated as a man while he was their prisoner. There were thousands of others in jail for similar reasons who had forfeited their personal liberty and the Government must treat them as honest men.

Mr. Hopkinson, replying, narrated the difficulties of the Government and said that officials were ever ready to maintain the prisoners' self-respect if the prisoners remembered that officials also had such a thing as self-respect. No one was wantonly ill-treated and the jail manual was not an instrument of torture. If political prisoners, after entering the jails, became guilty of incitement to mutiny and similar conduct, they called upon themselves the punishment prescribed by the law.

MAY 25, 1932.

DEBATE ON DEMANDS FOR GRANTS (Continued)

Voting on demands for grants concluded in the Frontier Legislative Council, and all the demands were passed without any reduction.

Two "cuts" were proposed, one of Rs. 5 under Jails and another of Rs. 2 lakhs in the Police demand. The Nationalists and Non-Moslem members combined in support of the former cut but it was defeated by 18 to 16 votes and the entire Jails demand of Rs. 8,86,000 was passed.

DEBATE ON POLICE GRANT

There was a very keen debate on the cut under Police, but it fell through, as a result of the surprising action of Nationalist members in withdrawing from the House just before the guillotine fell.

Major Diamond, Inspector-General of Prisons, who was specially nominated for the purpose, dealt with the criticism regarding whipping, banning of interviews and penal diet in jails and the treatment of women prisoners. In his opinion whipping was entirely brought about by the conduct of the political prisoners.

The Inspector-General of Prisons described the difficulties of the jail officials in dealing with political prisoners and said that in Haripur Jail the 3,000 prisoners created such an anxious situation for the authorities that they had to choose between handing over the jail to the military and whipping the ringleaders. " Better that a few known ringleaders are whipped," he said, " than that a single innocent convict should be injured by firing." He described how politicals immediately on coming to jails shouted slogans, snatched food from the convict-distributors, rushed to the sector gates whenever they were opened, refused to surrender their clothes and abused the jail officials. He declared that they were non-violent neither in deed nor in words, and that if they ceased to create trouble for the jailors, they could ensure for themselves all the comforts under the Jail Manual.

Mr. G. R. Gidney observed that the Government were compelled to resort to whipping with the greatest reluctance. He emphasised that political prisoners were whipped not because they were political prisoners, but because only such drastic action could ensure the safety of the jails. Indeed, on one occasion, military assistance had to be called for control of the Haripur jail, and, in his opinion, a serious calamity was averted thereby.

As regards interviews, Mr. Gidney said that most of the prisoners were surreptitiously keeping up contact with the outside world not for their private affairs, but to foment more trouble and to incite others to create trouble.

As regards the charge that only one woman visitor had visited the Haripur jail, the Finance Member said that the Government had invited many ladies to visit jails, but they had refused.

Concluding, the Finance Member said that no prisoner would be whipped and no jail penalties inflicted, if he behaved properly.

A few Hindu members, including Rai Saheb Hehr Chand Khanna, voted in favour of the cut of Rs. 5 in the jail demand, which was however passed in full.

MOTION FOR "CUT" IN POLICE GRANT

A " cut " of rupees two lakhs was proposed in the Police demand of Rs. 2,86,50,00. Arguments advanced in support thereof were that extra police were no longer necessary and that there were any number of policemen on guard at the European dance halls, clubs, bungalows, and meeting places, while the city was ill-guarded. The police were setting a bad example by indiscriminate use of their lathis, and the police, as a department, were made too much of.

Many members paid glowing tributes to the Frontier Police, including Mr. Nur Baksh and Khan Bahadur Abdul Rahim Khan, but the latter also declared that, to the coming era of the people's Government, police subordinates were leaving an undesirable legacy and bad tradition, by being too free with their lathis. Others, including Nawabzada Allah Nawaz Khan (Dera Ismail Khan), uttered a note of warning, that any weakening of the police in the Frontier would be fraught with grave danger to the whole of India.

Mr. Allah Nawaz Khan denied that the police were to blame for the calamities of Cawnpore and Dera Ismail Khan. On the other hand, they only illustrated the consequences of weakening the police force as at Cawnpore.

Mr. Adam, Inspector-General of Police, quoted figures to show that crime was on the increase in spite of all the talk of non-violence and harmony and that registered crimes showed a rise of 55 per cent. as compared with 1929. He asked the Leader of the Opposition, who had been a Public Prosecutor for five years, how many cases of extorted confessions and false cases (as he had alleged) he had brought to the Government's notice during his official regime.

The Inspector-General of Police stoutly defended the Frontier Police, and said that they were second to none throughout India in respect of loyalty and devotion to duty. They had manfully handled the situation, which they had been suddenly called upon to face throughout the districts, and if they did not always act too gently, that was because they could not deal with organised lawlessness in that manner.

While admitting that no police force was perfect, Mr. Adam said that if the criticisms proved anything, it was that the Frontier Police, who were drawn from excellent material, were in need of more training and he hoped that when shortly he came forward with a proposal for a police training school, the House would readily accept it.

The Inspector-General of Police, Mr. Adam, on replying to all the points raised by the critics of the police administration, Pir Baksh, mover of the "cut," was on his feet exercising his right of reply. Owing to the trend of Pir Baksh's speech, the Finance Member, as Leader of the House, appealed for the maintenance of a semblance of reality and seriousness in the debate, by confining the speeches to the merits or demerits of the proposals actually under consideration. The guillotine was then just about to fall and the President asked Pir Baksh to wind up his remarks. Quite unexpectedly, Pir Baksh gave up his right of reply, on the ground that the treasury members had been given more time and withdrew from the House, accompanied by other Nationalist members. After the withdrawal of the Opposition group, all the demands, including the Police demand, were put from the chair and passed

MAY 26, 1923

FACILITIES OF WATER SUPPLY

Nawab Bazmuhammad Khan's resolution recommending that arrangements be made to supply water to dry villages of Teri Tahsil by pipe system or other possible means was passed.

DEMAND FOR RELEASE OF PRISONERS

Mr. Habibullah Khan (Nationalist) moved that the Governor-in-Council be pleased to release Hathikhel prisoners convicted in connection with the incident of August 1930 in which a large number of persons including Captain Ashcroff were killed. The Nationalist members supported the resolution, while Maulvi Nur Baksh withdrew his amendment and associated himself with the mover. It was said that only five out of thirty-eight persons convicted thereunder were now in prison and that this was a fit case for the exercise of the prerogative of mercy which would soothe the whole of the Bannu territory. Moreover, in the action that was then resorted to, the people had been sufficiently punished and a magnanimous gesture would not be out of place.

Mr. Gidney, Finance Member, giving the history of the incident, said that, while a platoon of military under Capt. Ashcroff was drawn up at a hamlet to reinforce the police, a large lashkar of Hathikhel Vazirs who were armed with rifles advanced and opened fire on Capt. Ashcroff's men, killing

nine soldiers and wounding ten, and Capt. Ashcroff himself was killed. It was not an unarmed non-violent crowd as had been alleged, but the following of the two ringleaders who were openly inciting the trans-border tribes to rise against British Government. The condemned persons had been convicted of murder and they were not political prisoners in any sense of the term. The resolution was put and lost without division.

MAY 27, 1932

STARTING CO-OPERATIVE CREDIT SOCIETIES

Khan Bahadur Ghulam Haider Khan's resolution in favour of starting co-operative credit societies in the districts where they have not yet been started and increasing their number where they already existed was accepted by the Government, and it was passed without any opposition.

Mr. Hopkinson reiterated that any hasty advance in co-operative effort was fraught with the danger of the movement itself receiving a serious set-back from which it might take long to recover. The experience of others was before them. As the movement was essentially based on self-help, it was necessary that there should be as little official interference in the work of these societies as possible.

PROVISION FOR WELLS SUPPLY

Another resolution which was passed without opposition was that moved by Mr. Habibullah Khan, recommending that immediate measures should be taken for making adequate provision for the construction of tanks and wells for the supply of drinking water in the barren tracts of the Hazara, Bannu, Kohat and D. I. Khan districts. Mr. Thompson, Revenue Commissioner, gave a sympathetic reply and said that it would take some time before the Government's plans were put into execution.

REMOVAL OF BROTHELS FROM MUNICIPALITIES

Pir Baksh (Nationalist) introduced a Bill to amend the Punjab Municipal Act 1911, as applied to the North-West Frontier Province, empowering Municipal Committees to prohibit, by notice, the keeping of brothels or the residence of public prostitutes in the Municipal areas.

Maulvi Nur Baksh was in sympathy with the principle of the Bill, but public interests demanded that it should be circulated for eliciting opinion on its provisions and he therefore moved for its circulation. This was supported by the Government.

The amendment was put and carried after a division had been claimed.

The Frontier Legislative Council concluded its Budget session.

INDIA IN COMMONS

THE questions and answers in the House of Commons relating to India are given below date by date.

MARCH 21, 1932. *

CHITTAGONG RAID

Mr. Molson asked the Secretary of State for India whether the police had any information in advance of the raid on Chittagong in April 1930, and, if so, why were adequate preventive measures not taken.

The Secretary of State for India replied: The police had information of activities on the part of members of terrorist gangs which led them to suspect that an outrage was being planned. On the strength of that information a general search was arranged to take place on the 20th April, but it was forestalled by the terrorists carrying out the raid on the night of the 18-19th April.

BRITISH RECRUITMENT FOR I. C. S.

Sir Reginald Craddock asked the Secretary of State for India whether the proportion of British recruitment for the Indian Civil Service and the Indian police was being retained as recommended by the Lee Commission and what was the present percentage of Indians in the Indian Civil Service in the Bombay Presidency.

Answer:—The recruitment proportions adopted as a result of the Lee Commission report have not been changed. The percentage of Indians holding Indian Civil Service posts in Bombay Presidency on 1st January last was 37, including for this purpose the 19 Indians who were holding listed posts reserved for members of the Provincial Civil Service.

POONA MILITARY SCHOOL

Captain Earskine-Bolst asked the Secretary of State for India if he could state the nature and work of the Shri Shivaji preparatory military school, Poona, in respect of which an advertisement was appearing asking for a principal; and whether this was an institution in any way recognised or supported by the Government of India.

Answer:—I have no official information regarding this institution which, I understand, has not yet commenced to function. I am asking the Government of India for a report.

R. A. F. RAIDS IN BAJAUR

Mr. McEntee asked the Secretary of State for India if he would state how many raids during the past months had been made by the Royal Air Force in the Bajaur Valley; and whether any warning was given to the inhabitants of the mud-walled villages which were set on fire by incendiary bombs.

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* The following interpellations have been included in this volume as they were first reported in April, 1932.

Answer:—Air action was taken on the 8th March after due warning against certain villages in Bajaur from which a hostile lashkar had collected to threaten the British border.

DIRECTOR OF PUBLIC HEALTH, U. P.

Dr. Horris-Jones asked the Secretary of State for India whether any decision had been arrived at regarding the proposal to abolish the post of Director of Public Health in the United Provinces and to amalgamate the public health department with the medical department under the Inspector-General of Civil Hospitals.

Lieutenant-Colonel Fremantle asked the Secretary of State for India whether any decision had been made regarding the proposal to abolish the post of Director of Public Health in the United Provinces and to amalgamate the public health department with the medical department under the Inspector-General of Civil Hospitals: whether he would state the reasons for and against the proposal; and in what way it was proposed to safeguard the health of the people not in hospital.

Joint Answer:—I will answer these questions together. I have not heard of any such proposal as regards the United Provinces. Perhaps my honourable friends are referring to the Central Provinces where a proposal to combine temporarily the posts of Director of Public Health and the Inspector-General of Civil Hospitals is under consideration as a measure of economy.

IMPRISONMENT OF BOYS AND GIRLS

Mr. Bernays asked the Secretary of State for India whether he could state the number of boys and girls under 17 years of age who had been sentenced in India to terms of imprisonment for political offences during the last three months.

Answer:—I regret that the information desired is not available.

SEATS IN N. W. F. COUNCIL

Mr. Thomas Williams asked the Secretary of State if he would inform the House of the number of seats in the new Provincial Council in the North-West Frontier Province; how many of these were to be filled by nominations and how many by election; and how many persons in the province would have the right to exercise a vote in the forthcoming elections to the Council and what proportion these bore to the total population of the province.

Answer:—The Council is to consist of 40 members of whom 28 will be elected and the remainder nominated. The number of persons with the right to vote under the Electoral Rules is expected to be approximately 4 per cent. of the total population of the province.

TELLICHERY "THALI" INCIDENT

Mr. Morgan Jones asked the Secretary of State for India whether his attention had been drawn to the action of Mr. Dodwell, the Subdivisional Magistrate of Tellichery, in Madras, in compelling the removal in Court from the person of a woman prisoner, sentenced by him to fine and imprisonment for engaging in the civil disobedience movement, not only of her ornaments in payment of the fine, but also of her *mangalsutra*, an intimate possession of Hindu women and of religious significance as a marriage token; and whether he would inquire into the matter.

Answer:—The Madras Government have already enquired into this matter and I will send the Hon'ble Member the relevant extract from their communique, which mentions that the District Magistrate ordered the return of the "thali" and the Subdivisional Magistrate has expressed sincere regret for what was done under a misapprehension.

CONGRESS ACTIVITIES IN ASSAM

Mr. Wardlaw-Milne asked the Secretary of State for India whether he had any information regarding the resumption of Congress activities in Assam; and what the position was in that respect in that Province.

Answer:—My latest information dated last Saturday is that the situation in Assam continues to show general improvement. Youths convicted of picketing and other offences are tendering apologies in increasing numbers and being released; and there have been meetings in Sylhet to protest against the civil disobedience movement.

CORPORAL PUNISHMENT FOR POLITICAL OFFENCES

Mr. Bernays asked the Secretary of State for India, whether in view of the number of cases of the administration of corporal punishment on boys for political offences in India, he would make representations to the Government of India that this punishment for such offences should be discontinued.

Answer:—The matter is one for the discretion of the Courts. This form of punishment may be awarded for offences against the Penal Code under the ordinarv law and not under any emergency ordinances. The political motive of the offence is not relevant. In these circumstances it is not for me to intervene in the ordinary course of justice.

APRIL, 11, 1932.

POLITICAL SITUATION IN INDIA

Mr. Wardlaw-Milne asked the Secretary of State for India whether he would give the House the latest information he had as to the political situation in India.

Mr. T. Williams asked the Secretary of State for India whether he would make a statement in regard to the political situation in India.

Sir Samuel Hoare circulated the following statement covering the events of the past week.

In connection with the National week, which is being celebrated from the 6th to 13th April, attempts are being made to carry out an intensive programme, especially of boycott and picketing, but reports show that the effect so far has been slight. To this new effort may be attributed the slightly increased picketing in Bombay and rowdyism in the Cawnpore cloth markets and in Allahabad where a considerable disturbance occurred on the evening of the 8th April, commencing with an attempt by a Congress procession to enter the Civil Lines. During the dispersal of the procession and crowd the police were assailed with stones and brickbats for some hours, and suffered several casualties. Two rounds of buck-shots were fired, but the resulting casualties are unknown.

The reports from the North-West Frontier Province are good. It is particularly satisfactory that the elections have so far evoked very feeble counter-efforts from the Red Shirts and that wide interest is being taken in them. The tribal position is very satisfactory.

During the week, Congress announced their intention of holding the annual session at Delhi and were informed that Government would not grant permission.

The Kashmir situation is much easier.

FRANCHISE COMMITTEE

Mr. Bernays asked the Secretary of State for India whether the Franchise Committee would make an Interim Report on its labours; and, if so, when that Report would be published.

Sir S. Hoare: I understand that the Committee is now engaged on a report, and that it is hoped to be complete by the end of April. I am not in a position to indicate a date for publication.

Colonel Wedgwood: Can the right hon. Gentleman say when he will get the report?

Sir Samuel Hoare: I should say some time in May.

Colonel Wedgwood: Will their report commit this House definitely to a system of indirect elections?

Sir S. Hoare: None of these reports will commit this House to anything.

BURMA SITUATION

Mr. D. Davies asked the Secretary of State for India if he would state the number of rebels that had been captured in Burma since 1st January, 1932, and the number that it was estimated were still active in opposition to the Government.

Sir S. Hoare: I regret that I have not the information for which the hon. Member asks. It is obviously difficult to estimate the number of rebels still to be accounted for.

Mr. David Grenfell asked the Secretary of State for India if he would inform the House as to the present situation concerning the disturbances in Burma.

Sir S. Hoare: During the week ended the 9th April Government forces obtained contact with the gangs led by Myat Aung and Tun Myat on several occasions, inflicting casualties and capturing fire-arms and large quantities of supplies. Three sepoys were slightly wounded in one engagement.

ARMY MEN FOR I. C. S.

Mr. Dagger asked the Secretary of State for India that for what reason it was proposed to recruit British members of the Civil Service in Bengal from the British Army; and whether he would see that Indians with the necessary qualifications for the vacant posts were given the preference.

Sir S. Hoare: Proposals for the replacement by officers of the Indian Army or other Government services of five senior European district officers in Bengal who have been the victims of the terrorist movement are at present under consideration by the Government of India, but no recommendations on the subject from that Government have yet reached me.

Mr. Morgan Jones: Would not this be an appropriate moment to appoint Indians to these vacancies?

Sir S. Hoare: I cannot give an opinion until I have seen the recommendations of the Governor.

BOMBAY DOCKS DISPUTE

Mr. Daggar asked the Secretary of State for India what organisation was responsible for the import of Pathan strike-breakers into the docks at Bombay; how many people had been injured, including police officers, since the Pathans were introduced; and whether any action had been taken to settle the dispute between the Hindu strikers and their employers.

Sir S. Hoare: I have no information on this incident beyond what has appeared in the Press.

MEDICAL COUNCIL BILL

Lieut.-Colonel Fremantle asked the Secretary of State for India whether he had approved the Bill introduced into the Legislative Assembly for the establishment of a medical council in India and for the maintenance of a British-Indian medical register; whether he is assured that a standard of qualification would be made and maintained which would enable such

qualification to be recognised by the General Medical Council of the United Kingdom; and whether medical practice both in India and in the United Kingdom and other parts of the British Empire will be really open to medical practitioners registered by either medical council.

Sir S. Hoare: The answer to the first part of the question is in the affirmative. There is, I think, good reason to hope that the standard of the Indian medical qualifications recognised by the Indian Medical Council will be such as will enable them to be recognised also by the General Medical Council here. As regards the last part, the present Bill does not deal directly with the right to practise in India.

Lieut.-Colonel Fremantle: Has the right hon. Gentleman any assurance from the General Medical Council here that they will approve of the standard set up by this Bill. in which case that would settle the point in question ?

Sir S. Hoare: I have had no such assurance.

Lieut.-Colonel Fremantle: Is it possible to get some such assurance before this Bill is passed; otherwise, Indian medical men qualifying in India will be debarred from practising in different parts of the Empire ?

Sir S. Hoare: I could not answer that question without further consideration.

Lieut.-Colonel Fremantle: The right hon. Gentleman says that he has approved the Bill. Had he considered that measure before he gave it his approval, or is it only a temporary, provisional approval ?

CHILD MARRIAGE RESTRAINT ACT

Mr. McEntee asked the Secretary of State for India the number of prosecutions which had been taken out under the Sarda Child Marriage Restraint Act since its enforcement; and whether legislation was being placed before the Indian legislature providing for a limitation of the scope of the provisions of the Act?

Sir S Hoare: I have no information regarding the number of prosecutions instituted under the Child Marriage Restraint Act. The Government have placed no legislation before the Indian Legislative Assembly with the object of limiting the scope of the Act but a number of such Bills have been introduced by private members.

C. D. PRISONERS IN JAIL

Mr. Bernays asked the Secretary of State for India how many Indians were then in prison as a result of offences arising out of the civil disobedience movement.

Sir S Hoare: The latest date for which I have the information desired is 29th February, when 25,310 persons were in prison.

APRIL, 12, 1932

COST OF LOTHIAN COMMITTEE

Colonel Wedgwood asked the Secretary of State for India what estimate had been formed of the cost of the Lothian Commission.

Captain Austin Hudson (Lord of the Treasury): I have been asked to reply. The cost of the present tour of the committee over which my noble friend, the Under-Secretary of State for India, is presiding is estimated to be about £ 17,500, of which about £ 5,500 will be met from British revenues and the remainder from Indian revenues.

Colonel Wedgwood: May I ask the hon. and gallant gentleman what date of termination that estimate supposes ?

Captain Hudson: The right hon. and gallant gentleman had better put down a further question.

APRIL 18, 1932

"RED SHIRT" ACTIVITIES IN THE FRONTIER

In a statement circulated to the House of Commons reviewing the events of last week in India, Sir Samuel Hoare referred to the recrudescence of "Red Shirt" activities in a part of the Peshawar District, north of the Kabul River, where large crowds made efforts with considerable success to interfere with the elections. The police had to be reinforced by troops to disperse stone-throwing crowds armed with lathis. In one instance the police were compelled to fire and their casualties were twelve police injured, two seriously, and one rioter killed. After the poll the situation was quieter.

NATIONAL WEEK IN INDIA

Despite special efforts of the Congress to rouse public interest in the "National Week" the results were singularly small. Renewal of disturbances occurred in Allahabad where owing to continued brick and stone throwing thirty rounds were discharged, two rioters being killed and twenty injured. The situation was controlled within two or three days.

Activity was also in evidence in Cawnpore but ceased when the police were reinforced and in Bombay the "National Week" proved almost a complete failure. Elsewhere throughout India the effects of the "National Week" were negligible and several provinces, concludes the statement, report that it passed almost unnoticed.

COMMUNAL SOLUTION

Before making the award on the communal question do His Majesty's Government propose to make it a first condition that the acceptance of the award must be binding on all parties ?—asked Capt. A. G. Fuller in the House of Commons.

Sir Samuel Hoare replied that the statement of Mr. Ramsay MacDonald on December 1 did not imply that such condition must be fulfilled before His Majesty's Government took an action in the matter but the importance of such acceptance by the communities, if it was feasible to secure, would clearly be so great that the questioner could be assured that any possibility of obtaining it would not be overlooked though it was doubtful if he could have made a condition.

APRIL 20, 1932.

ALLEGED BEATING OF CONGRESS WORKERS

One Naik and four constables had been placed on trial as the result of a magisterial enquiry into the allegations made by an Indian newspaper on 16th April that eight women Congress workers of Benares had been stripped and beaten at the police station, announced Sir Samuel Hoare in reply to a question in the House of Commons. The District Magistrate, he said, would hear the case in his own court.

APRIL 25, 1932.

WHY CONGRESS SESSION WAS PROHIBITED

Mr. Morgan Jones (Lab.) raised in the House of Commons the question of the Congress arrests at New Delhi. Sir Samuel Hoare, Secretary of State for India, announced that it was necessary to take preventive action against the holding of the prohibited meeting, the object of which was to further the illegal activities of the Congress.

Asked whether the Congress organisation had been declared illegal under the new Ordinances, Sir Samuel Hoare said that the Congress as a whole

had not been declared illegal, but local bodies of the Congress in many instances had been banned.

He explained further that it was the meeting which had been declared illegal, and not the Congress organisation.

CONVICTIONS IN INDIA

The number of convictions in India during March showed a large drop, being approximately 7,000, compared with 15,000 in January and 18,000 in February, announced Sir Samuel Hoare in the House of Commons.

APRIL 29, 1932.

DEBATE ON INDIAN OFFICE VOTE

SIR SAMUEL'S DEFENCE OF INDIA POLICY

Opening the debate on the India Office vote, Sir Samuel Hoare declared that the Government's position was unchanged. They were going ahead with the policy based on the two foundations of order and progress which had already been overwhelmingly approved of by the House. They believed that order could not be maintained without progress. They were certain that progress could not be obtained without order.

Sir Hoare challenged anyone to produce a better policy or to give the reason for thinking that the Government were not in spirit and letter carrying out the programme contained in the White Paper.

Sir S. Hoare did not deny the existence of a very difficult constitutional problem, but he urged that the question should be regarded as a whole and not only in terms of the partisan constitutional wrangles.

Day to Day Administration

Sir S. Hoare proceeded to deal with day-to-day administration in which connection he paid a notable tribute to the energy, optimism and keenness of the Viceroy, who, " although he has reached the age at which he is entitled to old age pension, is showing physical vigour and fitness which anyone in the House may envy."

Sir S. Hoare said that the past 12 months had been very difficult, but, despite the cuts in the expenditure and the political difficulties, the administration, both central and provincial, had a record of fine achievements. He instanced in this connection the Sukkur Barrage and the Punjab Hydro-Electric Scheme.

Sir S. Hoare also emphasised the advance made in the past year in improving the health, particularly dealing with cholera, malaria and leprosy

Economic Position in India

Turning to the economic position Sir S. Hoare remarked that if there had been a state of war between Britain and India we should surely have been faced with the most formidable economic crisis, whereas the financial and economic position of India was much better that day than six months ago.

Continuing Sir S. Hoare said that prices were beginning to rise, taxation was coming in fairly well and rents were being paid and that showed that India was stronger economically than last September.

Sir S. Hoare contrasted in that connection the fact that in the last autumn an Indian loan would have been impossible except at prohibitive rates whereas that week's loan had been heavily oversubscribed and stood at considerable premium.

No Crisis in India

Sir S. Hoare repudiated the charge that, because there were men and women imprisoned in India, the country was suffering under the iron heel

of Russian tyranny and reminded the House in that connection that imprisoned persons, who were no fewer than 26,000 men and women, were double that number when Mr. Lansbury was a member of the Government.

Sir S. Hoare urged the House to consider the facts and figures calmly and not to assume that India was in a state of revolution. He said that it was his considered view that there was not an overwhelming crisis in India at present, but that the situation on the whole was better than could be expected, considering all the upheavals going on in other parts of the world.

Sir S. Hoare said, that he had enquired most carefully into the charges made in the course of the last debate about the abuse of emergency powers and the conduct if the police and he had satisfied himself that the powers had been sensibly administered.

"Unscrupulous Propaganda"

He was also satisfied that unscrupulous propaganda was being carried on in Britain, the Continent and India for the purpose of vilifying British rule and officials and he suggested that the people who might be influenced by such propaganda ought not to be too credulous and they would do well to reserve some sympathy for the wives and children of British officials murdered by ruthless terrorists.

Sir S. Hoare assured the House that Government would not be deflected in the least from their course by that flood of unscrupulous propaganda. He concluded by affirming that they were going straight ahead with the policy laid down in the White Paper—a policy laid on true foundations of order and progress.

DEBATE ON INDIA POLICY

MR. LANSBURY affirmed that the Labourites did not believe that any material benefits which the conqueror might confer on the conquered could take the place of self-determination and the right of the conquered to choose for themselves. That was the vital difference between the Opposition and Government.

Mr. Lansbury proceeded to inquire if the Indian opinion would be perfectly free to decide Indian policy at Ottawa and urged that whatever was approved there should be subject to a vote of the Indian Legislature, officials and nominated members not voting.

Declaring that Sir S. Hoare's policy was bound to fail, Mr. Lansbury paid a tribute to the patience of the Indian people who had solidly, without arms and practically without violence, endured suffering, imprisonment and privation on behalf of their cause. Mr. Lansbury concluded by affirming that Indians themselves alone were entitled to settle how India should be governed.

WING-COMMANDER SMITH said that anarchy, corruption and chaos constituted the only alternative to strong Government and stressed the importance of the Frontier problem which no party was less capable of handling than the Congressites.

MR. MAXTON declared that India should rule herself. He added that he was concerned with the struggle for the poor, for social and economic liberation and asked if it was necessary in order to maintain the dignity of British Raj to clap ladies into jail and whip boys of fifteen. Referring to the Meerut trial Mr. Maxton asked if it was in accordance with fairplay that proceedings should be going on for three years.

MR. CHURCHILL commented on the courageous decision to arrest Mr. Gandhi and other Congressmen and to enforce the Ordinance which, he

declared, made a great difference in his attitude. He did not ask the Government to close the door on sane, well-conceived constitutional advance, but said expectations must not be raised which could not be fulfilled. We should state what we are giving at a minimum in words and allow it to become a maximum in effect, he added.

Mr. Churchill emphasised that the advance must be shaped from the view-point of India's well-being and trusted that Britain was not going to dissociate herself from the primary duty of sustaining the welfare of the masses of India.

SIR S. HOARE'S REPLY TO THE DEBATE .

Sir Samuel Hoare, replying to the debate, emphasised that he had not the least desire to dictate the course of negotiations at Ottawa from the Indian view-point and pointed out that the authorities in India had a very free hand in selecting the delegation. He was very anxious that the Indian interests should be the dominant recommendations. Sir Hoare then read out the Government of India's statement to the Assembly in that connection.

Future of the Ordinances

Replying to questions about the Emergency Powers, Sir S. Hoare said that the Ordinances would be kept in force as long as the emergency required He could say no more than that. As to what the Government of India proposed to do upon the expiration of the Ordinances it was much too soon to make any decision on that matter. It must depend on what the Congress was going to do two months hence and what their attitude would then be to the Government. Whatever measure might be necessary would be taken.

"No Bargain with the Congress"

He added. "I have also been asked whether the Government proposed to take any steps, for example, by using an intermediary to secure the co-operation of Mr Gandhi. In this matter of co-operation the record of the Government is quite clear.

"His Majesty's Government and the Government of India persisted with success in their efforts to secure Mr. Gandhi's presence at the last winter's Round Table Conference and, as he himself would, I think, admit, we co-operated with him in the fullest and frankest way, not only in the Conference but outside it. We did our utmost to maintain the relations so established but our endeavours were frustrated by the action of the Congress, particularly in the United Provinces and North-West Frontier Province and finally by the renewal of the Civil Disobedience in January.

"There can clearly be no question of co-operation with anyone associated with Civil Disobedience. If Mr. Gandhi has a disposition to restore the relations that existed at the Round Table Conference, he will find not the slightest difficulty in conveying the fact to the Government without any intermediary and Government will earnestly consider the position thus created.

"But I want to make one thing clear. There can be no question of making a bargain with the Congress as a condition of his co-operation."

Correspondence with Gandhiji

Replying to the question whether he had had any correspondence with Mr. Gandhi since he was in prison, Sir S. Hoare said that there had been a correspondence between them, but it had nothing to do with any negotiations for Mr. Gandhi's release. It was entirely connected with certain personal misunderstandings that were supposed to have arisen from the conversation between Mr. Gandhi and himself before Mr. Gandhi left London. The only

additional matter in the correspondence were certain observations of Mr. Gandhi on the present state of affairs.

Sir S. Hoare said that the correspondence was meant to remove any possible misunderstanding—there was no question of any kind of negotiations.

"No Change in Policy"

Referring to Mr. Churchill's suggestion of the change of attitude, Sir S Hoare said that his own attitude was unchanged since he first joined the Round Table Conference. Government's policy also was unchanged.

Sir S. Hoare asked Mr. Churchill not to make the mistake of thinking that there was any difference of opinion between himself and other members of Government. He said that the only change which had occurred was the attitude of the Congress which he regretted. He observed: "We have not ended the chapter of co-operation. We are always ready to co-operate with anybody prepared to co-operate with us."

Delay in Meerut Trial

Sir S. Hoare declared that the delays in the Meerut Trial were due to the obstructive tactics of prisoners and their counsel.

MAY 3, 1932.

WEEKLY REVIEW

Reviewing the past week's events in India, Sir Samuel Hoare regretted to have to confirm the reports of further terrorist outrage in Bengal, where Mr. Douglas, District Magistrate of Midnapore, was shot whilst at a meeting of the District Board and later died from injuries. Elsewhere there was little of importance to report The position in Delhi following the unsuccessful attempt to hold the session of the Congress quickly returned to normal. There were no reactions elsewhere. Attmpts had been made in various places to destroy letters in post-boxes.

Mr. T. Williams asked the Secretary of State for India if he would inform the House in regard to the present situation in India.

Mr. Wardlaw-Milne asked the Secretary of State for India whether he would give the House the latest information he had as to the political situation in India.

The Secretary of State for India (Sir Samuel Hoare): Wilful damage to articles in post boxes has continued in several places but otherwise the past week has been without incident.

BRITISH PRESS COMMENTS ON THE DEBATE

The Morning Post was disturbed at Sir S. Hoare's declaration that the Government were still following the same policy which led them and India into all those troubles. *The Post* could not believe that it was proposed to release the malefactor and put him on the judgment seat in the same way as in Ireland but it could wish that British statesmen would make an end of excusing themselves for governing India. They must make up their minds to stay there, since there was no alternative, except disaster to the people of India and to themselves

The Daily Telegraph emphasised that there could be no question of making a bargain with Mr. Gandhi, as a condition of his co-operation.

The Daily Mail declares that Mr. Churchill's vigorous intervention in the debate will have a salutory effect, if it persuades Government to move cautiously with regard to establishing democracy in India.

Mr. Geoffrey Peto: Does the right hon. Gentleman not consider that serious prejudice has been done to a peaceful settlement by the extraordinary views of the Leader of the Opposition?

Sir S. Hoare: I think I must leave the House to judge.

FACTORIES IN INDIA

Mr. McEntee asked the Secretary of State for India if he would give the latest available figures showing the number of factories in India coming under the Indian Factories Act and the number of men and women factory inspectors employed under the Act.

Sir S. Hoare: The number of factories in India coming under the Indian Factories Act during the year 1930 (the latest year for which figures are available) was 8,148. The number of factory inspectors employed under the Act during the year 1929 was 39, of whom one (in Bombay) was a woman.

Mr. Morgan Jones asked the Secretary of State for India if he could give information showing the total number of persons injured in accidents in those factories in India which were subject to the Indian Factories Act in 1931, or in the latest year for which figures were available; how many of these were cases of fatal, serious, and minor injury, respectively; and what was the number of persons injured in that way per 100,000 of those employed in factories coming under the Act.

Sir S. Hoare: As the reply contains a number of figures, I am circulating it

The figures for the year ending 31st December, 1930 were as follows:—

	Fatal	Serious	Minor	Total
Number of accidents .	240	4,115	17,429	21,734
Rate, per 100,000 . . .	15.7	269.2	1140 4	1425

CHILD EMPLOYMENT

Mr. Rhys Davies asked the Secretary of State for India if he would inform the House as to the attitude of the representative of the Government of India to the draft convention submitted to the recent International Labour Conference relating to the minimum age for the employment of children.

Sir S. Hoare: The Government delegates of India to the recent session of the International Labour Conference, in accordance with their instructions, sought to incorporate in this Convention a special clause dealing with conditions in India. The terms of the special clause were approved in Committee but in the plenary session of the Conference an amendment was carried which in the view of the delegates made the special clause impossible of enforcement in India. They therefore abstained from voting on the final vote

OTTAWA CONFERENCE

Mr. T. Williams asked the Secretary of State for India whether Indian organisations, representative of both the employees and the employers in India, were to be invited to submit their views on the issues to be discussed at the Ottawa Conference before any proposals to be made at the Conference were formulated by the Indian delegation.

Sir H. Hoare: I understand that the Government of India have invited views from all important Commerce and Trade Associations. They consider the associations and chambers consulted to be fully representative of commercial interests generally as well as of employers and that no useful purpose would be served by consulting separately any organisations of employees.

Mr. Williams: Do we understand from that reply that the employees' representatives are not to be consulted in any way?

Sir S. Hoare: I have left these consultations very much in the hands of the Government of India, but I am almost sure that they have consulted the main interests concerned.

Mr. Williams: Do we understand from what the hon. Gentleman makes sure that, before any plans are formulated one way or the other, the employees are consulted?

Sir S. Hoare: I am prepared to trust the Government of India in this matter. I would much rather that all these questions connected with the Ottawa Conference were left to the Government of India as far as possible.

Mr. Williams: Does the right hon. Gentleman not think that it is unfair to consult the employers and not pay any attention to the employees?

Sir S. Hoare: I should not admit that that was so. In any case, I would prefer to leave the Government of India a free hand in these matters

LOTHIAN COMMITTEE REPORT

Mr. Morgan Jones asked the Secretary of State for India if he could indicate when the report of the Lothian Committee would be available.

Sir S. Hoare: I hope it may be possible to publish the report proper not later than 1st June, and two supplementary volumes about 10 days later, but I must not be taken as pledging myself now to exact dates.

SITUATION IN BURMA

Mr. Donner asked the Secretary of State for India whether he was in a position to make a statement with regard to the recent disturbances and present situation in Burma.

Sir S. Hoare: There has been no development or incident of importance since I last supplied a statement to the House.

SANKEY COMMITTEE NOT TO REPORT

Major General Sir Alfred Knox asked the Secretary of State for India whether the report of the Lord Chancellor's Committee would be kept secret.

Sir S. Hoare: As I have already explained in answer to previous questions, it is not the function of this Committee to draw up a formal report. I would refer my hon. and gallant friend to the answer that I gave to the hon. member for Caerphilly (Mr. Morgan Jones) on 25th April.

Sir A. Knox: Will the right hon. Gentleman answer the question on the paper as to whether this report will be kept secret?

Sir S. Hoare: I have answered the question on the paper. There will be no report.

Mr. Holford Knight: Is it not the case that the work of this Committee was undertaken for the information of Parliament, and should not the House be given an account of the work of the Committee?

Sir S. Hoare: The hon. and learned Member is under a total misapprehension. The Committee was not appointed to advise Parliament, but to advise the Cabinet on a whole the series of constitutional and technical questions.

Mr. Knight: Was it not the work of this Committee to accumulate information and suggestions for the framing of a Constitution for India, and is that not a work that would be useful for the consideration of Parliament?

Sir S. Hoare: I have told the House more than once that this is merely a technical committee exclusively composed of experts to advise the Cabinet.

Sir A. Knox: Will the right hon. Gentleman impress upon the chairman and the members of the Committee the absolute necessity of keeping their discussions quite secret?

Sir S. Hoare: Yes, Sir. I agree entirely with my hon. and gallant friend.

KASHMIR

Mr. Morgan Jones (for Mr. David Grenfell) asked the Secretary of State for India if he could make any statement with regard to the present situation in Kashmir.

Sir S. Hoare: So far as I am aware the situation in Kashmir remains quiet. The restoration of normal conditions in the recently disturbed areas continues.

WITHDRAWAL OF ORDINANCES

Mr. Morgan Jones (for Mr. D. Grenfell) asked the Secretary of State for India whether it was the intention of the Government of India to submit the provisions of the Ordinances at present in force in India in the form of legislation for the consideration of the Indian Legislative Assembly on the expiry of the term of those Ordinances; and whether he would consider the possibility of recommending the withdrawal of these measures.

Sir S. Hoare: The Ordinances do not expire until July. It is much too soon now to make any statement. The circumstances prevailing at the time will have to be taken into account.

GOVERNORS TO CONFER

Mr. Jones: Can the right hon. Gentleman say whether it is a fact that shortly there will be a meeting of Governors of various Provinces in India to discuss the question whether the Ordinances are to be renewed or otherwise; and what is the attitude of His Majesty's Government in regard to the matter?

Sir S. Hoare: I can add nothing to the answer which I have given. Constant consultations are going on between the Government of India and myself and the Governors of the Provinces.

Mr. Jones: May I take it that my information is practically correct that there is to be a meeting of Government?

Sir S. Hoare: No, Sir, I have no information of any meeting of this kind.

CAWNPORE DISTURBANCES

Mr. Morgan Jones (for Mr. D. Grenfell) asked the Secretary of State for India if he was aware that on the 7th April police entered shops in Cawnpore and arrested customers and shopkeepers in the course of dispersing a procession; and what action had been taken by the authorities in response to the complaints made to the Collector of Cawnpore by the merchants.

Sir S. Hoare: My information is to the effect that during the first week in April, Congress supporters in Cawnpore took advantage of the replacement of the additional armed police by a force of civil police to initiate a vigorous boycott of British textile goods. The boycott was accompanied by a good deal of rowdyism and caused considerable alarm and confusion in the cloth market, necessitating the sending of a special force of armed police to the city, on whose arrival the situation rapidly improved. I have no information as to the specific points raised in the question, but if complaints were made to the authorities they no doubt received proper attention.

CONDUCT OF BRITISH TROOPS IN INDIA

Captain Strickland asked the Secretary of State for India whether, in view of the scandalous libels to which prominence had recently been given against the British troops in India, he would make a statement regarding the conduct of their troops in India.

Sir S. Hoare: I dealt with this subject in the debate of 29th April, and I do not think that I need add anything to the tribute I then paid to the excellent conduct of the British troops in India.

Mr. T. Williams asked the Secretary of State for India whether he was aware that valuable articles belonging to the Fine Art Printing Works, Allahabad, had been detained by the Indian postal authorities for a period of 12 days; and whether it was intended to compensate the afore-mentioned company for such detention.

Sir S. Hoare: I have no information on the subject.

SILVER WEDDING FUND

Captain Fuller asked the Secretary of State for India if he would furnish a statement showing the state of the Silver Wedding Fund for widows of Indian officers holding Viceroy's commissions, the source from which the funds were obtained, and a list of those securities which had so depreciated in value that no further relief grants could be made to widows; and who was responsible for making those investments.

Sir S. Hoare: I am sending for my hon. and gallant Friend's information a copy of the Silver Wedding Fund Report for the year ending 31st December, 1931, which, I think, will give him all the information he requires.

MAY 30, 1932.

A REPORT ON CONGRESS ACTIVITIES

Mr. Lambert asked Sir Samuel Hoare to prepare a report for circulation abroad illustrating the Congress activities.

Sir Samuel Hoare proposed to consider the suggestion, but doubted whether the demand would justify the expenditure for publication in several languages.

AMERICAN FUNDS FOR CONGRESS

Mr. Lambert mentioned American subscriptions for the Congress and requested that steps be taken to counteract the effect in America.

Sir Samuel Hoare replied: We will take such steps as we can.

Sir Samuel Hoare promised to consider the suggestion, although he doubted its practicability.

ALLOWANCE TO DETENUS

The assertion that political detenus in India were receiving from the Government compensatory grants in some cases over £1,000 annually was made by Mr. Bracken, who asked for a list of the recipients.

Sir S. Hoare said that he did not possess information, but promised to ask the Government of India if Mr. Bracken desired. But he pointed out that allowances were not made to convicted persons.

WEEKLY REVIEW

The situation in India during the past week was reviewed by Sir Samuel Hoare, in answer to a question in the Commons.

As regards the civil disobedience movement, there had been little change, he said. Attempts had been made in one or two provinces to rouse interest and create trouble by holding provincial conferences to confirm the resolutions to pass which an attempt was made at the recent Delhi session.

During the week there was a renewal of communal rioting in Bombay City. The latest information, Sir Samuel said, was to the effect that the position was still unsatisfactory. The affected areas were being patrolled by the military. The return of troops brought into the city had been suspended and the number of motor patrols had been increased.

Sir Samuel Hoare said that the enquiry into complaints against certain police officers of Benares, who were accused of maltreating a number of young girls, had been completed by the District Magistrate and the men charged had been honourably acquitted. It appeared that eight women, who were arrested for causing disturbance, were released after one hour's

BENARES INCIDENT

detention, when investigations had shown that they were not persons of any importance. The evidence at the enquiry indicated that, throughout the proceedings, the women had been merely tools in the hands of the assistant editor of a newspaper (*Aj*) in which the allegations were first published. The District Magistrate concluded that the whole case against the police was false, that the story of women being stripped was false, that the alleged beating had not taken place and that there was little doubt that the whole business was concocted for political purposes either in revenge or to deter the police from dealing with women volunteers.

PROSECUTION FOR FALSE ALLEGATIONS

After Sir Samuel Hoare's statement on Benares allegations, the Earl of Winterton asked whether persons in India and Britain repeating the allegations would be prosecuted.

Sir Samuel Hoare replied that he was inquiring and added that stories of this nature were simply a part of the Congress propaganda. He illustrated the grave risk of accepting such gross and libellous statements.

Sir Samuel Hoare declared that he was inquiring into the question of proceedings against newspapers.

TRANSFER OF PRISONERS TO ANDAMANS

A suggestion to relieve congestion in the Indian jails by deporting political prisoners to Andamans or elsewhere was made by Sir Charles Oman.

Sir Samuel Hoare replied that he was considering the transfer of certain classes of prisoners to Andamans.

WEEKLY REVIEW

Sir Samuel Hoare reported that the past week in India had been uneventful, the main feature being further unsuccessful attempts to hold Congress Conferences. In Bombay, the feeling between the two communities remained tense.

CONSULTATIVE COMMITTEE

Sir Samuel Hoare told Mr. David Grenfell that the Consultative Committee of the Round Table Conference should have met on May 23 but they informed the Viceroy that they wished it to be postponed. Sir Samuel Hoare was unable to give the date of the next meeting but hoped that it would not be unduly delayed and that numerous questions, still needing discussion, would appear on the agenda.

INDIA'S DEFENCE EXPENDITURE

Sir Samuel Hoare told Mr. Thomas Williams that, following negotiations, it had been agreed that the question of capitation charges and incidence of India's defence expenditure should be referred to an Advisory Tribunal. He hoped shortly to announce the terms of reference of the tribunal and its personnel.*

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* In this connection, *Financial Times* admitted that on the score of equality India had a strong case for relief. The paper contended, however, that Britain could not contemplate any additional financial burden.

It recalled the view taken by the Simon Commission in its report, namely, that the defence of India was no concern of the whole of the Empire and suggested that all members of the British Commonwealth of Nations might take the opportunity provided by Ottawa "to endeavour to find an agreeably effective means whereby the Empire, and not the oldest or the youngest members of it, could share a common responsibility."

JUNE 20, 1932.

COMMUNAL AWARD

Major Milner (Labour) asked when Government hoped to announce provisional decisions regarding the proportionate representation of communities in the legislatures.

Sir S. Hoare replied that he was unable to make a statement at present.

JUNE 27, 1932.

INDIA OFFICE DEBATE

Speaking on the India Office vote, Sir S. Hoare said that he proposed to explain the Government's immediate programme to ask the House to help in surmounting practically and sensibly the obstacles still in the way of constitutional development. He indicated that his speech would fall under three heads, namely, the Ordinances, the Communal question and the Constitutional procedure.

How the Ordinances have Worked

Speaking on the Ordinances, Sir S. Hoare said that generally the action taken had completely succeeded in keeping the Civil Disobedience in check and in some cases had exceeded expectations.

Sir S. Hoare maintained that the charges of excessive use of powers were unjustified. They were admittedly drastic but were justified by the necessity of proving that Civil Disobedience could not succeed against the organised resources of the State.

Hardly more than one in 10,000 of the population had been prosecuted in connection with Civil Disobedience and less than one in 20,000 under the Ordinances, while the powers had unquestionably prevented loss of life and property and greatly diminished the necessity of forcible action.

Regrettable incidents were remarkably few. The use of Ordinances had been strictly confined to actual needs and had been on a diminishing scale.

The position might be summed up by saying that the Government had the movement under control and the initiative was with them and not with the Congress but, though mischief-makers had been effectively checked, they did not yet intend to abandon the subversive campaign. In such a situation the test of policy was whether action was necessary in the interests of Law and Order and good Government and whether it was calculated to give protection from illegal and oppressive tyranny which the community was generally entitled to expect.

Special Powers to Continue

Sir S. Hoare then announced that, judging by that test, the Government had come to the conclusion that it was necessary to retain the powers.

Sir S. Hoare said: "We have come to the conclusion that there will be on 3rd July an emergency sufficiently grave to necessitate the exercise of special powers. Therefore it is intended to assume by Ordinance the majority of the powers that will otherwise lapse.

"A few of the present powers will not be renewed and no additional powers will be assumed."

Sir S. Hoare added that the Government of India desired to restrict the application of the powers to provinces where they were definitely required. Similarly, in the provinces powers would be applied only in the districts where they were indispensable.

Replying to possible criticisms of this decision that the powers were unnecessary in view of the definite improvement in the situation and that

sullen resentment was being created amongst many who were not participating in the Civil Disobedience, Sir S. Hoare said that though the powers might not be used, they must be retained in reserve since the people with whom they were dealing would concentrate on every gap in their defence. He said that the application of powers would be carefully and sympathetically regulated by the needs of the provinces and districts

No Drawn Battle

Sir S. Hoare claimed that sullen resentment existed among those whose efforts had been frustrated. He admitted that there were others who regretted the drastic action taken, but many of them wished to see a drawn battle between Government and Congress movement. The Government would not be content with a drawn result. They were determined to take every action in their power to suppress their challenge to their authority.

Sir S. Hoare referred to the great sections of the population, who stood behind their Government and said that the way to show their good faith was not to break with friends nor to take action one day and abandon it the next, but to go resolutely on with the programme to carry out the pledges they had made.

Communal Decision in Summer

Sir S. Hoare reminded the House that there could be no constitutional advance in the centre or the Provinces unless the communal question was decided. He said that the Government's hope that the communities would settle the question for themselves was disappointed and during the last six months the communal question on the whole had become more bitter and more complicated. He repeated the pledge that the Government would be prepared to make a decision and said that they intended to do so during summer.

It would be impossible to give a specific date on account of the complexity of the questions involved and the necessity for the Premier's presence in London so that he could give valuable, undivided attention to it, but the Government were so determined to go on with the constitutional programme that, despite all the manifest difficulties and danger, they would give a decision in summer.

One Comprehensive Measure

Discussing procedure, Sir S. Hoare emphasised the anxiety of the Government to avoid unnecessary delay and to retain to the end Indian co-operation, which meant so much in the last two years. Therefore they intended to attempt to proceed by one Bill.

Sir S. Hoare hoped that that would be satisfactory to a great majority of Indians and would be to the convenience of the members of the House, who would thereby be asked to deal in the present Parliament with one comprehensive measure. He added that the Government had started conversations with representative Princes, which would be continued primarily in India with a view to seeing at the earliest date how far they could proceed with the All-India federal scheme.

Announcement on Procedure of Constitutional Reforms

Sir S. Hoare then made the declaration issued by the Viceroy in India (published on page 39).

THE DEBATE

Mr. MORGAN JONES, formally moving the reduction of £100 in the vote, said that the Opposition required adequate time to consider Government's proposals. They would not, therefore, discuss them in detail, but they would have felt greater confidence in their ultimate success if there had

been a hint in Sir S. Hoare's speech that he intended to use the time between then and the end of summer in trying to build a permanent bridge across the gulf between Government and the section of opinion represented by Mr. Gandhi. He also said that the information at the disposal of the Labourites did not accord in every particular with the glowing and comforting picture painted by Sir S. Hoare. He said that the Ordinances were driving the Congress movement underground, while the policy of repression was tending to create a situation which was driving Moderate opinion into closer association with Congress. Continuing the speaker urged that if the Government wanted to propound proposals for a larger measure of self-Government, they should make co-operation attainable by a policy of reconciliation with the Congress.

SIR REGINALD CRADDOCK urged that if reforms were granted, it should be made plain that they were a difficult and dangerous experiment which would be rescinded if they failed.

COL. WEDGWOOD thought that the time had come for the democrats to point out the danger of a federal solution which, with the representation of landlords and others including the Princes, would constitute a tremendous obstacle to democratic development.

SIR ALFRED KNOX hoped that those, who, like himself, considered that the constitutional advance of India should be slow, would be represented on the Joint Committee.

MR. WARDLAW MILNE congratulated Sir S. Hoare and expressed the opinion that the time for Conference was over and the time for action had come.

MR. ERNEST BENNET, while admitting the necessity of the ordinances, criticised the system of compelling people to report to the police daily.

MAJOR ILNER welcomed the modification of the Ordinances, expressing the opinion that they had been excessive and the powers had been used excessively. He hoped that Sir S. Hoare would allow anyone willing to mediate to do so.

SIR ADRIAN BAILLIE, supporting the Government's policy, stressed the importance of the trade with India and urged, as a result of his recent visit to India, a change of attitude of British and European residents towards Indians.

MISS RATHBONE dwelt on the importance of speed in carrying out the programme outlined by Sir S. Hoare and asked if Mr. Gandhi would be among those whose co-operation was sought.

MR. SANDEMAN asked for assurances regarding the safeguards, about which Lancashire wanted to know more.

MR. GRENFELL described Sir S. Hoare's statement as the most satistactory on the Indian question made in the House for some time.

Appeal for Negotiation with Congress

MR. LANSBURY said that Labourites took the view that Sir S. Hoare's statement marked a departure from the method inaugurated by the Labour Government with Conservatives' approval. They had started with the idea that Indians would be consulted throughout but now Indians would be "closed down." He made it clear that Labourites took their stand on the principle that the people of India were entitled not only to self-government but also to self-determination. They had the absolute right to remain in the British Commonwealth or leave it and that was the standpoint from from which Labourites would judge legislative proposals when they were submitted to the House or the Joint-Committee. Continuing Mr. Lansbury contended that if the Government was unable to maintain the position except by such powers as were described that night, they had no

right to remain rulers of the country and thought that Sir S. Hoare, instead of saying that it was a fight to the end, should have adopted different methods. He appealed to Sir S. Hoare to get in touch again with Mr. Gandhi. (Laughter and cries of dissent from many Government Members.) He referred to the letter of the Archbishop of York and others (in which they expressed the hope that an opportunity may be taken for some gesture of goodwill from the side of the British Government) as showing that he was not alone in his view. He again appealed to Sir S. Hoare to go to India and negotiate again with Mr. Gandhi or try to find a solution, as a solution must be found.

"A Return to Old Birkenhead Proposals"

MR. CHURCHILL castigated the Lothian Report, which would cause immense unrest. Nevertheless, he considerably agreed with the procedure marked out by Sir S. Hoare, which, in the main, seemed a return to the old Birkenhead proposals and brought the problem back to Parliament's being responsible for the well-being, good Government and progress of India.

SIR S. HOARE'S REPLY

Sir S. Hoare, replying, repudiated the suggestion that Government's proposals meant the end of the Round Table Conference method. There was nothing further from the Government's mind than to bring this chapter of Indian co-operation to an end. There was no ulterior motive and the Government did not desire to side-track the expression of Indian opinion. The proposals made were solely and expressly for the purpose of avoiding delay. Another meeting of the Round Table Conference and the Federal Committee would have postponed the introduction of constitutional measures certainly for a year and possibly indefinitely. He hoped that Mr. Lansbury would see that the Government were not impeding but expediting a settlement. He also expressed the hope that Indian co-operation would greatly help in the last stage of the deliberations.

"No Change of Policy"

Sir S. Hoare declared categorically that there was no change of policy. He added that they should proceed with the preparation of Government's proposals directed to the objective of a single Bill. There would be ample opportunity to judge whether the terms of reference were satisfactory. Government definitely intended that the main bodies of opinion of both Houses should be adequately represented.

Sir S. Hoare declared that there was no foundation for the fear that the new method might exclude representatives of Indian States from further consultation. The methods proposed were particularly desired by the Princes themselves. He would certainly see that the States representatives had an ample opportunity to express opinion at all the later stages of the deliberations. They preferred at present to start conversations immediately with the Viceroy and possibly later they might wish to send a delegation to London. In any case, they should keep in closest touch with them in order to bring the Federation to a settlement at the earliest possible moment.

Separation of Burma

Sir Samuel then proceeded to deal with "the important issue" raised by Mr. Wardlaw Milne whether the election to be held in Burma would be final on the question of separation. He said that Mr. Wardlaw Milne had raised the question of the offer held out by the National Congress at Karachi to the people of Burma that they might remain a part of India

and retain the right to separate whenever they wished. "It is a case," he added, "that there is in Burma a party that advocates entry into the projected Indian Federation in the belief, as I understand it, that as the Congress resolution holds out, Burma will be able, at some later date, when it seems to her more convenient, to withdraw from the federation on her own terms. This view of the situation is more or less openly held by such delegates to the Burma Conference as it represented the anti-separationist party."

Question of Secession

Sir S. Hoare proceeded to state that the House would remember that, at the close of the Burma Conference, the Prime Minister remarked: "If an Indian Federation is established, it cannot be on the basis that the members can leave it as and when they choose.". It might be that the significance of the Prime Minister's remark had not been fully appreciated in Burma and India, and he might, perhaps, usefully take the present opportunity to say clearly that His Majesty's Government would certainly not contemplate the grant of the right of secession to Burma on entering the Indian Federation. Apart from the fact that the admission of any such right would be flatly opposed to the whole idea of Federation, secession would be objectionable on account of its effects on such important and delicately adjusted matters as the distribution of representation in the Indian Parliament and the size of the Federal Legislature.

Question of Separation to be Decided by New Council

Moreover, the secession by Burma after an interval would reopen at that stage the whole question of that country, the settlement of which would still remain a matter for determination by His Majesty's Government. That was a contingency which His Majesty's Government were not prepared to contemplate. Burma would, therefore, be requested at the forthcoming election to take her choice between two alternatives—either (a) she could decide to separate from India and pursue her own political destiny apart from India on the basis of a Constitution framed on the lines set forth by the Prime Minister in his announcement at the close of the Burma Conference, or (b), she could elect to enter the Indian Federation, in which case she would remain a province of India and would be treated in exactly the same way as any other province and would not have secured to her, by the Federal Constitution, the right of withdrawing at will from the Federation.

Conditions Precedent to Co-operation

Concluding, Sir S. Hoare referred to Mr. Lansbury's appeal for reconciliation and affirmed that the Government were ready to co-operate with anyone ready to co-operate with them, but they would on no account begin negotiating with people who still showed no signs of wishing to co-operate. As long as the motive forces behind the Congress were still arrayed against ordered Government, they could not contemplate peace with them. "Let them lay aside civil disobedience," observed Sir Samuel, "and make it clear that they are prepared to co-operate with us on the lines of the White Paper, we shall not be slow to co-operate with them. Until they definitely abandon the attempt to smash the machine of Government and set themselves up as a rival to the accredited Government of India, there can be no question of negotiations of any kind."

The opposition motion to reduce estimates was defeated by 242 votes to 28.

The debate was then adjourned.

INDIAN FRANCHISE COMMITTEE

EVIDENCES AND REPORT

THE Indian Franchise Committee * constituted under the Prime Minister's instructions as a result of the recommendations of the Franchise Sub-Committee of the Round Table Conference concluded their tour in India during the quarter ended June, 1932 and finished the recording of evidence and the drafting of the report. The Report of the Committee including qualifying notes and minutes of dissent was published simultaneously in England and India on June 3, 1932.

EVIDENCES

The Franchise Committee after visiting every province except the Central Provinces and Assam for recording evidences arrived at Lahore on March 31, 1932 and had private consultation with the Provincial Committee. In the afternoon three officials Mr. J. E. Koeugh, Deputy Commissioner, Lyallpur, Mr. E. M. Jenkins, Deputy Commissioner, Amritsar and Mr. Fazlai Ilahi, Director of Public Information, Punjab Government, were examined in their personal capacities. They enlightened the Committee on local administrative conditions and administrative difficulties if the various methods of enfranchisement were adopted. Witnesses agreed if the coloured ticket system was introduced at polling booths and five polling officers, five *patwaris* (who were to identify voters) and one presiding officer were engaged in one day, four times more number of voters could record their votes from one constituency than at present.

The system of primary election by group electorates was administratively difficult. There should be different constituencies for rural and urban voters as their interests were different. Mr. Keough opined that women should receive the vote on the same property qualification as men. A large increase of women voters would create very many serious administrative difficulties. In his opinion enfranchisement of tenants would include a considerable number of depressed classes.

PERSONNEL OF THE INDIAN FRANCHISE COMMITTEE

* A communique issued from New Delhi on January 13 announced the personnel of the Indian Franchise Committee. The Committee was to consist of the following members:—

Marquis of Lothian (Chairman); Sir Ernest Bennett, M.P.; Mr. R. A. Butler, M.P.; Marquess of Dufferin and Ava; Sir John Kerr; Major J. Milner, M.P.; Hon. Mary Ada Pickford; Dr. B. R. R. Ambedkar; Khan Bahadur Aziz-ul-Huq; Hon'ble Mr. E. Milner; Sir Muhammed Yukub; Dewan Bahadur Ramaswami Mudaliyar; Mrs. Subbarayan; Sir Sundar Singh Majithia and Mr. Shripad Balwant Tambe (Members); Messrs. Jayaratnam and Laithwaite (Joint Secretaries); Messrs. S. P. Thompson and F. T. Ward (Assistant Secretaries).

TERMS OF REFERENCE

The terms of reference of the Committee was outlined in a letter from the Prime Minister to Marquis of Lothian, Chairman of the Committee. The letter said:

APRIL 1, 1932

EXAMINATION OF REPRESENTATIVES OF UNTOUCHABLES

The Committee examined Dalit Udhar Mandal founded in 1908. The Mandal suggested that Rs. 5 monthly income in villages and Rs. 10 in towns to be the lowest standard for enfranchisement. They would bring in at least 10 per cent untouchables. Land qualification for votings would not suit the untouchables as long as the Land Alienation Act existed. They urged joint electorates and reservation of seats. They opined that untouchability was soon dying out from the Province.

The Committee next examined the representatives who claimed to represent the Santmandal religion followed by 2,000,000 of untouchables in the Province. They wanted separate electorates. The examination was not concluded when the Committee adjourned for lunch.

"It is the wish of His Majesty's Government that your Committee should consider in the first place what extension of franchise for Provincial Legislatures is desirable and administratively feasible and the possibility of supplementing direct representation by a system of group representation or otherwise, and your enquiry will be so conducted as to elicit information to frame proposals for electorates, constituencies and methods of election required to produce a Federal Legislature of the type indicated in the third report of the Federal Structure Committee."

The Premier then stated, that questions like disparities between rural and urban enfranchisement, desirability or otherwise of giving each community the voting strength proportionate to its numbers, extension of military service qualification and introduction of new educational qualification would, no doubt, come under the notice of the Committee, but His Majesty's Government attached special importance to securing more adequate enfranchisement of women. The Committee was also to consider methods by which Labour representation could most effectively be secured.

The Premier referring to the question of Depressed Classes asked the Committee to contribute towards the solution of this question, firstly, by indicating the extent to which these classes would be likely through the general extension of franchise to secure right to vote in ordinary electorates, and secondly that enquiry should also bring about facts which would facilitate the devising of a method of separate representation for Depressed Classes, should the decision eventually favour these either generally or in provinces where they formed a distinct and separable element in population.

Finally, the Premier referred to the question of separate communal electorates and said: "It is not of course the function of your Committee to attempt the settlement of communal problem. As you are aware the Government are deeply anxious that this settlement should be by agreement amongst the communities themselves. Meanwhile recognise that even the present phase of your inquiry may be hampered if you are not in possession of a provisional working hypothesis. His Majesty's Government desire your Committee, therefore, to proceed in so far as you may find that absence of such assumption would preclude you from arriving at conclusions on the assumption that separate communal electorates will continue to form a feature of new constitution."

The Premier added that Local Governments would set up Provincial Committees to co-operate with the Lothian Committee, and in conclusion suggested that in case the enquiry could not be completed by cold weather an interim report might be submitted.

QUESTIONNAIRE

The following were the questionnaire issued by the Indian Franchise Committee on January 13, 1932.

Having regard to the wide range of enquiries which it is necessary for the Franchise Committee to undertake before it can frame detailed plan for the constitution of several legislatures the Chairman is of opinion that it is very improbable, if not impossible, that the Committee will be able to cover the whole field during the first stage of their enquiry. In order to provide a practical programme it will therefore be necessary to concentrate attention in the first instance on fundamental question of the franchise to be adopted in constituencies which will elect the various legislatures.

It may, therefore, be necessary to postpone enquiries relating to the representation of special interests, the advisability of creating bicameral legislatures in Provinces, the qualification and disqualification of candidates and other subsidiary though important questions until a later stage of the Committee's investigations. A further questionnaire relating to these matters will be issued in due course. The following questionnaire deals with the franchise to be adopted for the Provincial and Central Legislatures. Questions

APOLOGY FOR MAL-TREATMENT BY POLICE

The Chairman here stated that the Chief Secretary to the Punjab Government had offered an unreserved apology to the Indian Members who were maltreated by the police and he expected a further statement from the Governor. Departmental action was being taken against the police officers concerned.

APRIL 2, 1932

SURPRISE VISIT TO A VILLAGE

The Committee paid a surprise visit to Vanieke village, 9 miles from Lahore on the Amritsar Road. The village is a fairly enlightened one and had a population of about 1,000 souls.

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relating to the representation of women, labour and depressed classes have been included because solution of these problems depends largely on the extent to which basis of suffrage can be widened in general constituencies.

PROVINCIAL LEGISLATURES

EXTENSION OF THE FRANCHISE

Having regard to the fact that the principle of a responsible Federal Government, subject to certain reservations and safeguards, has been accepted by His Majesty's Government and that the Governors' provinces are to become responsibly governed units, enjoying the greatest possible measure of freedom from outside interference and dictation in carrying out their own policies in their own sphere, it is obviously necessary so to widen the electorates that the Legislatures to which responsibility is to be entrusted should be representative of the general mass of the population, and that no important section of the community may lack the means of expressing its needs and its opinion. The Franchise Sub-Committee of the Round Table Conference considered that adult suffrage was the goal which should ultimately be attained but the majority thought that it was not practicable to reach that goal immediately and recommended "the immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the population, and indeed a larger number—but not more than 25 per cent. of the total population—if that should, on full investigation, be found practicable and desirable."

(a) What means can you suggest by which the existing franchise for the provincial legislature could be extended so as to include 10 per cent. of the population in the electoral roll?

(b) Do you consider that such an electorate will be capable of casting an intelligent vote?

(c) Do you consider that such an electorate would be administratively manageable having regard to the arrangements likely to be feasible for the preparation, maintenance and revision of the electoral rolls, and for the recording and counting of votes?

(d) If answer to (b) and (c) is in the negative, what alternative qualifications for the electorate would you propose?

(e) If the answer to (b) and (c) is in the affirmative, do you consider that it would be practicable and desirable, having regard to the same considerations, to enlarge the electoral roll still further and, if so, what means would you suggest for the purpose?

(f) It has been suggested that assuming adult suffrage to be impracticable at present, all adults not entitled to a direct vote should be grouped together in primary groups of about 20 or in some other suitable manner for the election of one or more representative members from each group, who would be entitled to vote in the provincial elections either in the same constituencies as the directly qualified voters or in separate constituencies to be framed for them. The suggestion has been discussed mainly with reference to rural villages, but might be made applicable to towns also.

Do you consider that any such system would be feasible and advantageous in the areas with which you are acquainted, and, if so, would you advise that the group electors should vote in the same constituencies as the directly qualified electors, or in separate constituencies composed of group electors only?

(g) It has been proposed that in the event of separate constituencies being framed for group electors, only group electors should be qualified to stand as candidates for such constituencies?

Are you in favour of this course?

Some of the villagers said that they would love to have the right of vote and added that if their representatives were properly elected they could do a lot of good to the people. Jats favoured separate electorates for their men and women while a few of untouchables pointed out that they did not labour under any great hardship in the village and they would not mind having a mixed vote. The untouchables also understood the significance of vote and one of them remarked that the right of vote would add to his influence in the village. Women, who were also watching the enquiry with interest showed their liking for the right of vote when they were asked by the lady members of the Franchise Committee. Some of the women said that although they had no objection to visit common polling booths for men and women, they would prefer separate arrangements. Some of them said that they had already taken part in Gurdwara elections while they had seen quite a number of elections.

FRANCHISE QUALIFICATIONS

(a) Do you consider that in the areas with which you are acquainted, there is any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas? If so, what measures would you suggest in order to rectify such disparities?

(b) Assuming that communal electorates of some sort are retained, it has been suggested that each community should be given a voting strength proportionate to its members, and that the franchise system should be so contrived as to secure this result, in so far as it may be practicable.

Are you in agreement with this suggestion, and, if so, what measures would you suggest for giving effect to it in your province?

(c) Is the possession of property of some kind in your opinion a suitable test of fitness for the franchise? If so, do you consider the existing property qualifications suitable in principle? If you do not, what modification do you suggest?

(d) Are you in favour of introducing a qualification based on education, independently of property, and, if so, what educational qualification would you suggest?

(e) Are you in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces?

WOMEN'S SUFFRAGE

(a) At present women are admitted to the suffrage on the same terms as men, but as the existing qualifications are mainly based on property and the payment of taxes, the number of women on the provincial electoral rolls is only a little over a quarter of a million as compared with 6½ million men. The Statutory Commission proposed that the wives and widows (if over 25 years of age) of men entitled to vote under the property qualification, should be enfranchised, and that in addition an educational qualification should apply to women over 21 as well as to men. In the Franchise Sub-Committee of the Round Table Conference it was suggested that the age limit should be 21 for women as well as for men.

Are you in favour of increasing the women's electorate in the ways suggested or would you prefer any other method, if so, what method? To what extent would you favour increase in women's electorate?

(b) In the event of a system of group representation being established as proposed in paragraph 1 (f), do you consider that women should be formed into groups, and, if so, should separate groups be formed for women or should groups contain both men and women?

REPRESENTATION OF THE DEPRESSED CLASSES

It is evident from the discussions which have occurred in various connexions in the Round Table Conference, that it is generally felt that provision should be made in the new Constitution for better representation of the Depressed Classes, and that the method of representation by nomination is no longer regarded as appropriate.

Do you consider that the Depressed Classes are likely, through such general extension of the franchise as you favour, to secure representatives of their own choice in the general electorates, and if so, to what extent? If your answer is in the negative, what specific proposals would you make to secure their representation in Legislatures? The possible application of the group system of representation to the Depressed classes should be specially considered.

PUNJAB PROVINCIAL FRANCHISE COMMITTEE

Replying to the questionnaire of the Indian Franchise Committee the Punjab Provincial Franchise Committee, by a majority, rejected property qualification for franchise in favour of some form of group system.

As to the method of including ten per cent of the population in the electoral roll they suggested some form of group system by itself or supplementing the existing system.

The Committee generally were of opinion that the intelligence of the electorate comprising ten per cent of population would not be materially different from that of the existing electorate of three to six per cent. Mr. Owen Robert was inclined to doubt this. Eight members considered that ten per cent voters would be manageable administratively. No member of committee desired to have more than ten per cent of the population voting directly for the Legislative Council.

REPRESENTATION OF LABOUR

Assuming that such widening of the basis of suffrage in general constituencies as is found practicable does not provide adequate representation of labour what special measures would you recommend for representation of labour (a) where it is or can be organised as in industrial areas; (b) where it is organised as in case of agricultural and plantation labour. On what basis would you allot representation to labour in each case?

FEDERAL LEGISLATURE

ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES

In the third report of the Federal Structure Committee the following allocation of seats to provinces of British India in the two chambers of the Federal Legislature was tentatively suggested:—

	Upper Chamber.	Lower Chamber.
Madras	17	32
Bombay	17	26
Bengal	17	32
United Provinces	17	32
Punjab	17	26
Bihar and Orissa	17	26
Central Provinces (if Berar is included)	7	12
Assam	5	7
N-W F Province	2	3
Delhi	1	1
Ajmer-Merwara	1	1
Coorg	1	1
British Baluchistan	1	1
	120	200

As a working hypothesis for the purpose of arithmetical calculation at the present stage it may be assumed that the Federal Legislature will be approximately of the size indicated in the report of the Federal Structure Committee.

(a) The Federal Structure Committee proposed that the representatives of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote. Do you agree with this proposal or have you any alternative to suggest?

(b) Do you consider that the franchise qualifications ought to be different for the Federal and Provincial Legislatures? If so, what do you consider it ought to be in the case of the Federal Legislature?

(c) The majority of members of the Federal Structure Committee considered that election to the Lower Chamber of the Federal Legislature should be by territorial constituencies consisting of qualified voters who would cast their vote directly for the candidates of their choice Under a scheme of this nature there would be more than a million inhabitants on an average in each constituency. The constituency would in some cases be of enormous size especially if communal electorates were introduced. In view of obvious difficulties which must confront a candidate in canvassing and maintaining contact with such large constituency the Committee recommended that alterna-

The Committee agreed in principle that each community should be given voting strength proportionate to its numbers and observed that that would be secured by a complete group system.

With the exception of one member no member of the Committee was in favour of introducing property qualification for women.

Three members were in favour of franchise for wives and widows coupled with literacy franchise for unmarried women in the event of their being no group system.

Mrs. Chatterji's support of the group system was mainly due to the fact that it was only under this system that women came in on equality with men. She would only accept wives and widows qualification as a last resort if the group system was turned down as completely unworkable. Other members of the Committee were against it in all circumstances.

Mr. Din Mohammed (Moslem) and Hansraj (depressed classes representative) held that while there were no depressed classes among Mohamme-

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tives of direct and indirect elections should be fully explored and suggested that while it might be possible without difficulty to adopt direct election in certain areas some form of indirect election might prove desirable in rural areas.

The Franchise Committee would be glad to have your views on this difficult question. In the event of your favouring some system of direct election it would be very useful if you would indicate the nature of the constituency that you would form having regard to the number of seats which you consider ought to be allotted to your Province.

REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES

Please add any further suggestions which you desire to make regarding the representation of women, labour and the Depressed Classes in the Federal Legislature.

GENERAL

It will be of great assistance to the Franchise Committee if you will favour them with any observations on the working of the existing franchise and electoral rules which will throw light on the problems now under consideration. The Committee will of course, require information later on many other questions, but it is not necessary to deal at present with matters outside the scope of this questionnaire.

It is not the function of the Franchise Committee to consider the maintenance, modification or abolition of the existing system of separate communal electorates though it is clear that this question must be decided before a final scheme can be drawn up for the composition of the various legislatures and the arrangement of the constituencies upon which they are to be based. His Majesty's Government have instructed the Franchise Committee to proceed in so far as they may find that absence of such an assumption may preclude them from arriving at conclusion on assumption that separate communal electorates will continue to form a feature of the new Constitution. It is hoped, however, that it will be possible to offer answer to the questions asked in this paper without entering upon a discussion of the communal problem.

POINTS FOR LOCAL GOVERNMENTS.

(1) The Franchise Committee are anxious to save local Governments unnecessary labour as far as possible. A great deal of information which will be of great value in connexion with their enquiries must already be available in reports on the working of the present constitution prepared for the Statutory Commission or for other purposes. In dealing with the questions now raised it will suffice to refer to such reports or to send copies corrected up to date where such a course is found convenient.

(2) The Franchise Committee desire, if possible during their visit to each provincial headquarters, to spend a day or part of a day in a conveniently situated village, where they would meet typical bodies of villagers and discuss with them questions arising out of this enquiry. The Committee would like to have an opportunity of talking to a group of existing voters, a group of those who would become entitled to a vote if the franchise were extended in the manner considered possible by the local Government, and a group of those to whom the vote could not be granted within the limits of any practicable system of franchise. In the last case, the Committee would like to consider on the spot, the possibility of adopting some system of group representation. The Committee would be grateful it one or two officers could be deputed to accompany them as interpreters, who are well acquainted with the village selected for a visit or with village life in general.

dans, there existed depressed classes among the Hindus and the Sikhs, their total number being over thirteen lakhs in the census. Mr. Hansraj considered the number incomplete. They both held that provision should be made for separate representation by treating the depressed classes as a separate community.

Eight members held that it was impossible to say that there were depressed classes in the Punjab in the sense that any person by reason of his religion suffered any diminution of civic rights, and that it was undesirable that any attempt should be made to stereotype the division.

With the exception of the labour and the depressed classes respresentatives, the Committee considered that there was no organised labour in the Punjab. The labour member was of opinion that labour should have special representation. Except the chairman, the Committee was generally against special representation of special interests.

Except Pandit Nanakchand, the Committee agreed that the Europeans and the Indian Christians should be given special representation in their own electorates.

APRIL 3, 1932

PUNJAB GOVERNMENT'S FRANCHISE PROPOSALS

The Punjab Government's franchise proposals, submitted to the Lothian Committee, suggested that the present electorate should be doubled as the enfranchisement of ten per cnt of the population would make the electorate unwieldy, that women should have the vote on the same property qualification as men and that any further extension of women's suffrage should be left to the provincial council.

The Government held that the question of the depressed classes was not a pressing one in the Punjab.

Sir Jogindra Singh, Minister, suggested that the lowering of the franchise should be left to the legislature.

APRIL 11, 1932

ALL-INDIA WOMEN'S CONFERENCE

Rajkumari-Amrit Kaur, with three other representatives of the All-India Women's Conference, giving evidence before the Indian Franchise Committee, insisted on Adult Franchise for men and women, 'or a scheme based on Adult Franchise'.

Property or literacy qualifications, the witness maintained, would not benefit women, who did not possess them. She was not opposed to the "group" system provided the groups were not separate for men and women and would accept no scheme of special representation for women and no communal distinctions. Provided all adult men were given votes, she would not care if few women were actually returned to the Council. If men thought adult franchise impracticable they might accept something less for themselves, but she would have nothing less than the whole thing for women.

Lady Abdul Qadir, one of the delegation urged special arrangments for Purdah women in the polling booths, but no ballot through the post.

APRIL 13, 1932.

PUNJAB FRANCHISE COMMITTEE'S REVISED RECOMMENDATIONS

The Punjab Franchise Committee in its revised recommendations, which was sent to the Lothian Committee at Simla, raised the figure

of 10 per cent. of population to be enfranchised to 11.7 per cent. and proposed a vote to every land-owner paying above Rs. 5 as land revenue and to every urban tenant paying Rs. 5 as rental per month and to the wives and widows of voters under the existing franchise. The Committee proposed to allot 3 seats to labour, 1 to trade unions and 2 to unorganised urban labour. Mrs. Chatterjee in a separate note urged for reservation of 5 per cent. of seats in the Provincial Council for women.

MAY 1, 1932.

The Franchise Committee's report was signed that afternoon, by all the members except Sir Ernest Bennett, who had to leave India a fortnight ago and who would presumably add his signature in London. There was one dissenting minute signed by three members. In addition, some other members inserted supplementary notes on certain special points.

MAY 2, 1932.

The majority of the members of the Indian Franchise Committee met again to draft a brief rejoinder to the dissenting minute put in by three members.

MAY 10, 1932.

LORD LOTHIAN'S PARTING MESSAGE

Lord Lothian issued the following statement to the Press before leaving India :—

"Franchise is the foundation for democratic self-government, and I hope that our recommendations will be recognised by Indian opinion as laying a workable and progressive foundation for real self-government in India. I am inclined to think that many people of experience of public life will be somewhat aghast at the magnitude of the practical task which we have set before the country. If, as I hope, the first elections under the new Constitution are held some time next year, it will be necessary, before then, to put thousands of candidates in the field and for those candidates to educate and solicit the suffrage of tens of millions of electors who have never voted before. For those who are familiar with electioneering in England, U. S. A., France, Germany and other countries, the work which the leaders of public opinion still have to do to create or develop political parties capable of dealing with this huge electorate, is prodigious and the time in which to do it is short. And on its being properly done immense consequences hang, for under Responsible Government whoever wins a majority will form the Government.

"The Parliament has approved in principle of a Constitution on the lines endorsed by the Round Table Conference, and let me add by the Indian National Congress. If only all classes in India, including those who are making sacrifices to-day for the sake of their own ideas of the road to self-government and Reforms, will throw themselves in the constructive work of electioneering and winning majorities in the legislatures and if communal fears and antagonism can be kept within bounds, I see no reason why India should not, within a short time, set going successfully a constitutional experiment on a vaster scale than has ever before been attempted in history."

MAY 19, 1932.

LORD LOTHIAN'S STATEMENT IN ENGLAND

Lord Lothian, Chairman of the Indian Franchise Committee, reached England that day, having travelled from India by air. He referred in a statement to the interest the various committees appointed after the Round Table Conference had aroused in India and paid tribute to the co-operation and friendliness displayed towards their members.

He added: "The dominant feeling in India to-day is the desire that the Government and Parliament should come to a decision about the new constitution with the least possible delay. During the last four years committees have been touring India and conferences have been held in England on every aspect of the new constitution. What the people in India want to-day, British businessmen and civil servants no less than the Indians themselves, is to know where they are. The sooner decisions can be taken, if possible agreed decision, the better will India be pleased and the sooner will the political conditions settle down."

REPORT OF THE INDIAN FRANCHISE COMMITTEE

The Report of the Indian Franchise Committee (also known as Lothian Committee) was published on June 3, 1932 both in England and in India. The report proper which is found in the first volume extends to 235 pages with notes by individual members and a Dissenting Minute signed by Messrs. S. B. Tambe, C. Y. Chintamani and Bakhale. The appendices containing the personnel of the various provincial franchise committees, questionnaire, and list of witnesses occupy 39 pages.

SALIENT FEATURES OF THE REPORT

To increase the electorate of British India from 7,000,000 to 36,000,000 persons, that is to say from 5.4 to 27.6 per cent. of the total adult population, is the essence of what the Franchise Committee propose in their Report. The main recommendations proposed by the Committee may be described as follows:—

Extension of Franchise

Adult franchise has been ruled out for various reasons set out in the report while indirect and group election are not recommended. The general effect of the recommendations as regards the extension of franchise is as follows: In Bengal, 16 is the percentage of proposed total electorate to the total population and 31.6 per cent. is the percentage of the proposed electorate to the adult population. The corresponding percentage in the other provinces is as follows: Bombay, 17.1 and 33.5; Madras 15.5 and 29; the United Provinces, 15.5 and 29.7; the Punjab 11.9 and 24.1; Bihar and Orissa 7.3 and 17.9; Central Provinces 12.5 and 23.4; North-West Frontier Province 9.9 and 20.1, making a total of 14.1 and 27.6 respectively for the whole of India.

Qualifications for Enfranchisement

In addition to property qualifications, educational qualifications of the upper primary or a corresponding educational standard in the case of men and literacy in the case of women are prescribed. Wives of men who possess property qualifications are entitled to vote under the Committee's recommendations. The ratio of men voters to women voters is 4 to 1 in Madras, Bombay, Bengal, the United Provinces and Assam, 5 to 1 in the Punjab and the Central Provinces, and 9 to 1 in Bihar and Orissa. As

regards the representation of women in the legislatures, the Committee prefers the method of reserving seats in constituencies, urban and rural, and containing both men and women.

Special Interests

As regards agricultural labour, the Committee finds that short of an extension of franchise to a degree which is regarded as impracticable at this stage, there is no means of enfranchising agricultural labour as such. As regards however organised labour the Committee's proposals are that 8 seats should be reserved for them in Bombay and Bengal, 6 in Madras, 4 in Orissa and Bihar and Assam, 3 in United Provinces and the Punjab and 2 in the Central Provinces.

In regard to the Depressed Classes the question of separate and joint electorate did not form part of the terms of reference, but the Committee has come to the conclusion that the village servant qualification should be adopted in Madras, Bombay and the Central Provinces and that every effort should be made in all provinces to bring the Depressed Classes electorate up to the population ratio or as near as possible to 10 per cent. of the population strength. The existing representation for Commerce and Industries, Landholders and Universities is proposed to be retained.

The Committee remarks that the representation of special interests should not be such as to seriously affect the balance of parties formed by representatives of territorial constituencies and so of the general masses of the people. These representatives are to be considered as experts available to the legislatures and not to give any voting strength to individual interests.

Constituencies

As regards multi-membership and single membership constituencies the Committee says that as separate electorates are adopted for a number of communities the constituencies so classed must have single membership constituencies and if any system of reservation of seats in joint electorate is adopted it necessarily implies multi-membership constituencies. In multi-membership constituencies, however, the Committee recommends the use of the cumulative vote, that is every voter will have the right to use as many votes as there are candidates so that he can plump all votes in favour of one candidate.

Second Chambers in the Provinces

There is no definite recommendation in regard to the establishment of second chambers in the Provinces.

Central Legislature

In regard to the Central Legislature the Committee recommends that the franchise for the Federal Assembly should be the same as that now in force in Provincial Councils supplemented by an educational qualification both for men and women.

QUALIFYING NOTES

Sir Muhamad Yakub in the note appended objects to the creation of special qualifications in favour of women and thinks that the prescription of minimum educational qualifications and the recommendation that the wife should have the right to vote if the husband possesses vote are derogatory to the status of women.

The Hon'ble Mr. E. Miller disagrees with the majority of his colleagues in the recommendation the Committee has made for the representation of labour in the Provincial Councils.

Sirdar Bahadur Sir Sunder Singh Majithia says that the representation provided for landlords in the Provincial and Federal Legislatures is very inadequate.

The **Muslim Members of the Committee** have appended a note in which they state that the representation of special interests should not be allowed to affect the balance of power and that their agreement to the tentative allocation of seats is subject to the condition that these seats will be taken into account while adjusting the communal balance.

Major Milner does not find himself in complete agreement with the majority of his colleagues especially in regard to adult franchise in large towns and the prescription of wage-earning qualification.

Mrs. Subbaroyan also thinks that adult franchise should be experimented upon in large towns. She regrets that the number of women electorates has not been increased still further and objects to communal constituencies in regard to women.

Dr. Ambedkar has appended a lengthy note on the Depressed Classes objecting to the classification of the Depressed Classes and the figures arrived at in respect of the population of these classes.

MINUTE OF DISSENT

The Minute of Dissent, which is signed by Messrs. Tambe, Chintamani and Bakhale, covers a wide ground and disagrees with the recommendations made by the Committee as a whole in regard to adult franchise, basis of franchise, certain features of the provincial franchise schemes, women's representation, depressed classes, minor minorities, special interests and federal legislature.

There is also a brief rejoinder by the majority Committee to the Minute of Dissent.

ANALYSIS OF THE REPORT

The first volume, which embodies all the Committee's proposals, contains 23 Chapters and a number of Appendices. Its length is 286 pages. It includes some explanatory or qualifying notes, one minute of dissent, and a rejoinder to the latter signed by the majority. Two other volumes, containing the memoranda prepared by local Governments and Provincial Franchise Committees, are issued simultaneously. Additional volumes consisting of selections from evidence supplied by witnesses are to be published later. The complete set will represent the result of three months' work.

PROCEDURE FOLLOWED

In the preface it is explained that the Committee was constituted under the Prime Minister's instructions as a result of the recommendations of the Franchise Sub-Committee of the Round Table Conference. The Parliamentary members arrived on 29th January and during their tour covered a distance of 7,689 miles and visited every province except the Central Provinces and Assam. Representatives of these two provinces met them elsewhere. Before the Parliamentary members left England a questionnaire was circulated, and on this local Governments formulated their views before meeting the Committee; they also appointed Provincial Franchise Committees, mostly under the chairmanship of non-officials, to formulate views independently and to undertake preliminary examination of witnesses. On leaving each province, the Franchise Committee invited the local Government and the Provincial Committee to give further consideration to

questions that had arisen during the discussions. The Franchise Committee's report therefore represents far more than the work of their own members. Except in the case of one party they had the assistance of all shades of opinion in India and in the case of that party were assisted by the fact that its views were already on public record. Some estimate of the work done may be made from the fact that they examined 311 witnesses, and received directly 187 written statements; in addition the Provincial Committees examined 73 witnesses and received no less than 1,120 written statements for transmission to the Franchise Committee. Although most of the Committee's work was done in the provinces, they received assistance from Members of the Central Legislature while in Delhi and also from numerous all-India associations. The Government of India decided not to meet the Committee as a Government, since they would subsequently have to subject the Committee's report to critical examination; they however placed at the Committee's disposal the experience of their Secretariat, members of which gave evidence as witnesses. Since the Committee was debarred under its terms of reference from dealing with the communal problem they have not proposed detailed scheme for the composition of the legislatures or apportionment of seats, nor worked out representation for the minor minorities. The report nevertheless goes beyond the scope of the interim report which was originally contemplated, since it contains a complete scheme for the basis of the franchise proposals regarding the representation of women and labour, and a provisional allotment of seats for special interests. Once the communal question is settled the apportionment of seats and the delimitation of constituencies should not be difficult.

ADULT FRANCHISE

In the first Chapter, the implications of the Prime Minister's letter of instructions are analyzed. The second deals at length with the question of adult franchise. Among the arguments enumerated in its favour are that it secures equality of political rights to every adult citizen, that it solves so far at least as the electoral roll is concerned the problem of securing representation of all elements of the population, and that its adoption would avoid the necessity for devising special franchises. But for a variety of reasons its introduction in India to-day would be very difficult. First among the numerous administrative difficulties mentioned is the dearth of officials qualified to work it. Nothing could be more injurious to the healthy functioning of responsible government than well-grounded suspicion that the elections were falsified by inefficiency, or corruption. The presiding officer must be competent to manage the officials, agents, candidates, voters, and police and of such standing as to be above suspicion of abusing his power. As regards non-officials, few would be forthcoming except in urban districts, and moreover objections would be liable to be raised against them for political, religious, caste or other reasons. Another difficulty is insufficiency of police. Elections cause excitement and the provision of sufficient police becomes more essential in proportion as the number of electors per polling station increases. The total number of police is about 164 thousands and on this basis if each polling station could deal daily with 1,000 electors, the total number of votes recordable per day would not be more than 25 millions. A further problem would be created by women. Everywhere the necessity of making special arrangements for women voters was urged upon the Committee, and it would be quite impossible to provide the necessary female staff to poll the whole female population. More votes could be recorded if the polling period were lengthened, but as practically all official activities have to be stopped during election time, there are

obvious limits to this; moreover, the longer polling lasts, the more are attempts made to influence voters. There is also the complication that elections both for the Provincial Councils and the Legislative Assembly have to be held on the same days; under complete adult franchise 130 million electors each entitled to cast votes for two different constituencies and candidates would have to be provided for at the same time. Finally, the Committee remarks that every one of the Provincial Governments and Provincial Committees not only declared adult franchise to be administratively impracticable but placed the maximum at some figure below 20 per cent. of the total population.

OTHER DRAWBACKS

Apart from the administrative difficulties there are others of a more general nature. Among these are the fact that the members involved are far larger than have ever been made the foundation for democratically governed State in history (the total population even of the United States is only 123 millions as against 257 millions for British India excluding Burma) and that only 8 per cent of the population of British India is literate. Although literacy is no test of wisdom, its absence necessarily restricts the individual's knowledge and makes it difficult for him to cast a discerning vote on questions outside his district. . Illiteracy also greatly increases the burden on candidates and parties; and party organization in India is still rudimentary. Such organisations as exist have been preoccupied with securing self-government rather than with the policies which should be followed afterwards. Party organisation grows only by degrees, and is expensive to form and run. In no country in the world has democracy ever functioned successfully without a well-developed party system and to manage an electorate of 7 millions such as the present is very different from dealing with one of 130 millions which is what adult franchise would involve. The Committee took evidence regarding the modified form of adult franchise in use in Ceylon, but decided that since Ceylon contains only 6 million people as against 257 million, since communal and other differences here are far more acute, since 50 per cent. of the Ceylon population is literate as compared with 8 per cent. of the Indian, and since there are proportionately more administrative officers in Ceylon, the experience obtained there is not applicable to India. They conclude that in view of the prodigious difficulties enumerated it would be the course of wisdom and statesmanship not to attempt to launch the new constitution on the basis of adult franchise, but to seek a more manageable basis, and it will be for the legislatures themselves to determine at what pace the electorate should be further expanded.

ADULT SUFFRAGE

In Chapter III, five possible modifications of adult franchise are considered. The first is adult suffrage by indirect voting. Under this system which is in operation in Egypt, Turkey, Iraq and Syria, the population would be organised in groups, and each primary group would elect from among its own number one or more secondary electors who would form the constituencies for returning members to the legislatures in the ordinary way. Among the objections to this are that it would involve the abolition of the existing direct system, which would be resented; that the primary voters would be unable to judge whether the secondary electors carried out their wishes, and that the system would lend itself to jerrymandering. The second possible modification is adult suffrage within certain age limits. But apart from the administrative difficulty of determining ages, even so

narrow an electorate as one limited to persons aged between 30 and 50 would total over 76 millions. The third is adult franchise for large towns. The chief objection to this is that it would differentiate undesirably as between urban and rural interests. The fourth is household suffrage. But a system which allotted one vote to each household would enfranchise over 50 million people of whom the great majority would be men; moreover, since the household is nowhere the unit for revenue purposes, its adoption as the the basis of franchise would be administratively very difficult. The fifth possibility is indirect election through local bodies; but this, like the other four is also rejected, largely because it did not prove successful when in operation between 1910 and 1920 during the period of the Morley-Minto Reforms.

DIRECT AND INDIRECT SYSTEMS

Chapter IV is devoted to considering the possibility of working the direct and indirect system together, in the way suggested by the Franchise Sub-Committee of the Round Table Conference. This would seem to combine the advantage of retaining the franchise system India has become used to with some of the advantages of adult franchise, since it would bring the whole population directly or indirectly into connection with the legislatures. But the Franchise Committee's enquiries showed it to be open to serious objections. Firstly, if the group consisted of 20 or 25 people,—the most favoured size,—no group elector could exercise more than one-twentieth or twenty-fifth of the voting power of the direct elector, and would besides have no control over the way the secondary elector cast his vote. Thus the representation obtained for such interests as women, labour and the depressed classes would be very small. Secondly, there would be administrative difficulty in working the system. If local officials took an active interest and the elections were kept informal, it might function; but should high feeling develop between rival candidates it would be likely to break down. Moreover, if the electoral roll for a general election in November or December were published in July, the group elections would have to take place during the previous cold weather; and to conduct them would involve much extra work several months ahead without placing many more names on the roll. Thirdly, the Committee state that generally speaking the system did not find favour either with officials or non-officials throughout the country, and that every local Government and provincial Committee is now against it.

Widespread Interest in Politics

Attention is next given to the argument that at the moment when responsibility is being transferred to the legislatures, it would be unwise to extend the franchise at all. Among the points adduced by the Committee against this are that although the majority of villagers may still have little knowledge what elections are about, the interest now taken in politics in this country is nevertheless widespread; that the present franchise gives predominance to certain classes; that many literates are not on the rolls, that even if the interests of the new voters are different from the old they will not be markedly less capable of casting an intelligent vote; and that if responsible government in India is to be stable, the legislatures must be made more representative of the people. Since, therefore, the franchise requires to be extended, and since complete adult franchise is impracticable and the disadvantages of any indirect scheme greater than its advantages, the Committee concludes that an extension of the direct franchise is the best basis on which to establish responsible government under the new constitution.

EXTENSION OF ELECTORATE

The general principles underlying the Committee's proposals are set forth in Chapter VI. In the first place they state that since their task was so to widen the electorate that no important section of the community lacks the means of expressing its needs, they have been more concerned to secure the best practicable distribution of voting power than to enfranchise any pre-conceived percentage of the population. The point is emphasised that provided each section is fairly represented in proportion to number, there is no reason why a restricted franchise should not express the vital interests of the majority of adults. For example, the heads of agricultural families may usually be said to speak not only for themselves but for all members of their family residing with them; women voters act in some measure for their sex; trade unions speak for industrial labour; and the same is true of depressed class voters, representatives of landlords, commerce, and so on. The nature of the electoral qualifications proposed for the provincial legislatures is next explained. There are two general qualifications and a number of special ones. The first general qualification is property, which the Committee state has from the outset been the main basis of franchise, is already well understood in India, and commands general approval. They propose to lower it so as to enrol most of the landholders, tenants, and urban rent payers and a considerable section of the poorer classes. The second general qualification suggested is educational, which has the advantage of providing for an automatic extension of the franchise in the future. Different educational standards are fixed for men and women, and for the provincial and federal legislatures. As regards the special qualifications, the first is for women. This is necessary since few women own property, and less women than men are literate. Under the Committee's scheme one-fifth of the electoral roll will consist of women, and means have also been suggested for ensuring that a certain number of them are returned to the legislatures. In the case of labour, the qualification has been lowered so as to enfranchise large numbers of the industrial employees in the towns, and provision has been made for their direct representation in the legislatures. The existing representation for commerce and industry, the universities, and the landholders is to be retained but not increased. As it is proposed to enlarge the legislatures to between two and three times their present size, the representation of those special interests will be proportionately less than at present. As regards the depressed classes the Committee explain that the question of their representation in the legislatures is outside the scope of their reference. But they have furnished information as to their numbers, and made proposals designed to secure them substantial representation on the electoral roll. The classes for which it is most difficult to provide are the tenants-at-will, the landless labourers, and the less prosperous rural craftsmen and artisans. But to some extent they will be represented under the special provisions made for labour and the depressed classes, and in addition number of them will be placed on the general roll in certain provinces. The Committee calculate that the effect of these recommendations will be to place 36 million persons on the provincial electoral rolls and that the proportion of adult males enfranchised will be 43.4 and of adult females 10.5. The Committee however recognise that as some of the figures on which they have worked are estimates, there may at present be difficulty in appreciating their exact effect; and they point out that the Franchise Sub-Committee of the Round Table Conference emphasised the desirability of giving each community a voting strength proportionate to its numbers. In order therefore that it may be seen whether the ratio of voters to population is discrepant in the case of any

one community, they recommend that the electoral roll should be prepared as soon as the new franchise has been approved.

PROVINCIAL FRANCHISE

The Chapter VIII, in which the provincial franchise schemes are explained, is far the longest in the report. For many reasons the recommendations made vary from province to province. The wide local differences in the percentages of the population now enfranchised would in any case make it difficult to level up to a uniform proportion, in Bihar and Orissa and the Central Provinces the existing electorate is only about one per cent. of the total population, and an immediate increase to 10 per cent. would thus involve an eight or nine-fold increase, whereas in Provinces in which the electorate is between 3 and 4 per cent. an increase to 15 per cent. would be proportionately less extensive. Apart from this, in so far as the property qualification is concerned, franchise schemes must necessarily vary in India. Provinces like Bombay, the Punjab, the United Provinces and the Central Provinces naturally base their franchise schemes on their revenue systems, which differ widely from one another. On the other hand in Bengal and Bihar, where owing to the Permanent Settlement no similar system is in force, some other basis must be found. The Committee therefore considers,—like the Southborough Committee,—that uniformity of provincial franchise qualifications is neither practicable nor desirable.

In dealing with each province the Committee first summarise the views of the local Government and the provincial Committee before setting forth their own proposals. The total electorate they suggest are generally higher than those proposed by local Governments and in some cases beyond what was stated to be administratively feasible. But they have given careful consideration to the staff available for electoral purposes, and emphasise that far fewer voters will poll than the total number on the register. In estimating the proportion of people whom their proposals will enfranchise in each province they calculate on the basis of total rather than adult population, although this, as is explained in another context, is somewhat misleading, since no country ever enfranchises more than about half its inhabitants.

RECOMMENDATIONS—PROVINCE BY PROVINCE

Bombay

In Bombay, the Committee recommend an electorate of 3,700,000, which is nearly 17 per cent. of the total population as against totals of about 13 per cent. proposed both by the local Government and the provincial Committee. About 20 per cent. of the electorate would be women. The Committee point out that the Government's scheme does little to correct the existing disproportion between urban and rural electorates, but that since they themselves have added nearly 4 per cent. to the electorate by enfranchising more women and depressed classes, they see no means of rectifying the disparity.

Madras

In the case of Madras, the Committee recommend an electorate of 7,400,000 or about 16 per cent. of the total population, of whom 1,700,000 on about 20 per cent. would be women. The Madras Government's scheme, which provided for an electorate of 6,500,000, was worked out with great care and completeness, and the Committee has proposed only comparatively small changes in respect of the women, the depressed classes and educated men. The franchise for the provincial legislature will be practically identical with that now in force for local bodies under the recently amended Madras District Municipalities and Local Boards Acts.

Bengal

As regards Bengal, the Committee indicate that they obtained relatively little assistance from the local Government. The provincial Committee originally favoured universal indirect adult suffrage, but the Franchise Committee are convinced that the discontent which would be caused by withdrawing the direct franchise from those who now enjoy it was underestimated. Nor do they agree that the direct should be supplemented by the indirect system as the Bengal Government propose, if the franchise is extended to more than 7½ per cent. of the total population. They see no administrative necessity for restricting the franchise to 7½ per cent., but are handicapped by the Bengal Government having provided no scheme even for the restricted franchise they proposed. The Committee therefore recommend that the Bengal Government, with the help of their report and in those of other local Governments, should prepare a detailed scheme based on the payment of rates and taxes to local bodies with the addition of the upper primary educational qualification for men, and the same provision for women's suffrage as has been proposed elsewhere.

United Provinces

In the United Provinces, which the Committee visited twice, the provincial Committee recommended an electorate of 7,200,000 and the local Government one of 7,600,000. The Franchise Committee accepts the local Government's scheme, which was based on detailed enquiries in 1,800 typical villages, but would add the upper primary qualification for men. The total, however, need not be increased on this account, since allowance must be made for over-lapping in the women's qualifications under the local Government's scheme. The electorate proposed would represent nearly 16 per cent. of the total population, and the women's vote would be 1,600,000.

Punjab

In the Punjab, the Committee propose an electorate of 2,800,000 or about 12 per cent. of the total population, as against 2,300,000 and 2,700,000 recommended by the local Government and the provincial Committee respectively. 450,000 of the voters would be women. The difference between the Franchise Committee's proposals and those of the local Government is due to the former having included more women, depressed classes, and educated men. They point out however that a serious defect in the Government's scheme is that only about 25 per cent. of the electorate will consist of members of the non-agricultural tribes, who form about half the population of the province, and they suggest that the Government should give further consideration to this point.

Bihar and Orissa

In Bihar and Orissa, the local Government recommended an electorate of 2,900,000 and the provincial Committee one of 1,750,000. The former would represent about 8 and the latter about 5 per cent. of the total population. The Franchise Committee recognise that special difficulties exist in the province owing to the lack of revenue staff and the fact that the present electorate is only about 1 per cent. of the total population, but they do not think an electorate of over 3,000,000 would be administratively unmanageable. They propose payment of *chaukidari* tax at the minimum rate of six annas a year, or a corresponding rate of municipal tax in urban areas as the general basis of the franchise, and suggest special provision for women and depressed classes. The total electorate would then number about 3,500,000, or about 10 per cent. of the total population. 350,000 of the electors would be women.

Central Provinces

In the Central Provinces electorates of 1,500,000 and 1,750,000, representing 10 and a little over 11 per cent. of the population, were proposed respectively by the local Government and the provincial Committee. The Franchise Committee is prepared to accept the Government's scheme, provided it produces an electorate of not less than 1,500,000, and subject to certain special arrangements in respect of the depressed classes and women. It is recognised that since the existing electorate is only a little over 1 per cent., this province like Bihar has special difficulties.

Assam

In Assam, the local Government was against expanding the electorate beyond 10 per cent. of the total population, which is treble the existing number. The provincial Committee wished to enfranchise 15 per cent. by reducing the qualifying payments of land revenue or *chaukidari* tax, but did not indicate precisely what reductions would be required. In view of the sparsity of population and defective communications in Assam the Franchise Committee accepts the Government's scheme provided more women are enfranchised and also men who have passed certain educational standards. The resulting electorate is estimated at slightly over 1,000,000, or about 13 per cent. of the total population. About 200,000 of the electors would be women.

Frontier Province

As regards the Frontier Province, which before April last had no legislative body, the Franchise Committee make no final recommendations. The existing franchise enrols about 4 per cent. of the total population and 12 of the urban. The local Government desired no further increase in urban enfranchisement, but considered that 10 per cent. of the rural population should be enfranchised. No special arrangements for labour or the depressed classes would be necessary. As regards women's suffrage, both the Chief Commissioner and the local Committee indicated that public opinion would render it at present extremely difficult. The Franchise Committee suggest that Parliament should decide, in the light of future discussions in the local Council, whether the province requires special treatment in this matter.

WOMEN'S REPRESENTATION

From this the Committee proceed, in Chapter VIII, to consider the question of women's representation as a whole. The ratio of women to men at present enfranchised ranges from 1 to 10 in Madras, to 1 to 114 in Assam, and both the Prime Minister and the Franchise Sub-Committee of of the Round Table Conference urged a reduction in the disparity between the voting strength of the sexes. Most representatives of women's organisations desired equality with men on the basis of direct or indirect adult franchise. But as neither of these systems is found practicable, the Committee, like the Franchise Sub-Committee, advocate special qualifications for women, since under a restricted franchise, unless the number of men voters is reduced in order to increase the number of women voters, theoretical equality must in practice mean extreme inequality. They consider that the reluctance of women to vote under the existing franchise is due partly to their being a small and conspicuous minority, and that it is essential to place enough women on the roll to compel candidates to consider their interests. Thus while providing legal equality for men and women under the ordinary property and educational qualifications, the Committee propose additional qualifications for women calculated to give them about one-fifth of the total voting strength, the proportions varying from one-fourth in Madras to one-

ninth in Bihar. These qualifications would be firstly bare literacy, and secondly being the wife of a man entitled by property under the existing franchise to vote for the provincial Councils. A special extension of the latter qualification is suggested in the Central Provinces, owing to the smallness of the present electorate. The Committee recognise the disadvantages in conferring the franchise on the basis of the husband's property qualifications, but such women as object to it would probably get the vote by literacy. As regards women's representation in the legislatures, four methods of ensuring this were suggested. The first, that women should be co-opted by the newly elected Councils by the single transferable vote. The second, to elect to the reserved seats by a special electorate of educated women. The third, that those women who secured the largest number of votes in a general election without actually being elected should be given such reserved seats as were vacant. And the fourth, that seats should be set apart for women in selected areas, in which the electors would have two votes, one in the general constituency, and the other for a woman candidate. The Committee favour the last method. They do not recommend precisely how many seats should be reserved, since this depends upon the settlement of the communal question; but they urge that the proportion of seats reserved during the first ten years should be between 2 and 5 per cent. of the total. As regards special polling arrangements for women, the Committee set forth the various methods suggested to them, and urge the provision in most places of at least a separate entrance to the polling booth and a woman assistant.

REPRESENTATION OF LABOUR

Chapter IX deals with the representation of labour, agricultural and industrial. The former is defined as consisting of landless labourers or farm servants entirely dependent on their employers. Apart from adult franchise, there are four possible ways of enfranchising them, namely, by the group system, household suffrage, a house-rent qualification, and a wage-earner's franchise. For the reasons given in Chapter III the first two are rejected, as also is a house-rent qualification, owing to the difficulty of assessing values in rural areas. A wage-earner's franchise is considered impracticable because income cannot be ascertained where employers keep no books, because of the migratory habits of agricultural labourers, and because their wages are often paid not in cash but in kind and thus vary in value from year to year. The Committee therefore can suggest no means of providing special representation for agricultural labour. Industrial labour at present has nine reserved seats in the provincial Councils. The number of persons employed in organised industries is estimated at 5,000,000. The Committee state that although numerous urban workers will be enfranchised under their other proposals, they will probably nevertheless be unable to return their own representatives. For this reason, and also because the seats reserved for commerce will be occupied by employers, they recommend special representation for industrial labour, and suggest securing this either by elections through registered trade unions or through special labour constituencies. A total of 38 labour seats is proposed, of which 8 each would go to Bengal and Bombay, 6 to Madras, 4 each to Bihar and Assam, 3 each to the United Provinces and the Punjab, and 2 to the Central Provinces.

DEPRESSED CLASSES

In the next Chapter, which deals with the depressed classes, it is explained that after endeavouring to ascertain who the depressed classes are, the Committee's task was to indicate whether they would be adequately enfranchised under the qualifications proposed, and, if not, whether they should

have special representation. The Committee agreed to define the depressed classes as those who are untouchable, i.e., who cause pollution by touch or approach or denied access to temples. They examined the figures resulting in each province from investigations made by five previous authorities, namely Sir Henry Sharp, 1917, the Southborough Committee, 1919, the Census Commissioner, 1921, the Simon Commission, 1930, and the Census Commissioner, 1931, and also had at their disposal fresh figures prepared by local Governments and Provincial Franchise Committees. Since the mean total for the whole country resulting from all these calculations is 35,000,000, the depressed classes indisputably consitute a substantial portion of the population. Neverthless many of the provincial estimates differ greatly. By far the widest difference is in the United Provinces where the Census Commissioner in 1931 estimated the depressed class population at 12,600,000, and the Provincial Franchise Committee this year gave them a strength of 581,000 only. But in Madras, Bombay, the Central Provinces, Bihar and Orissa, and Assam the Committee is evidently satisfied that the numbers of the depressed classes are correctly computed at about 7,100,000, 1,700,000, 2,900,000, 4,300,000 and 650,000 respectively. As regards enfranchisement, the Committee say that until the new electoral roll is prepared it will be impossible to calculate the voting strength of the depressed classes, but since most of them will not have the requisite property or educational qualification they will certainly not be enrolled in proportion to their population. Since it is essential that under responsible government these people should be able to express their opinions in the Councils, the Committee recommend a levelling up of the depressed class vote by some form of differential franchise. They suggest six possible methods. The first is to enfranchise depressed class village servants. The second, to enfranchise on bare literacy. The third, to grant a vote to each depressed class household. The fourth, to grant two votes to each depressed class voter, one in a special constituency and the other in a general. The fifth, to enfranchise wives of depressed class voters, and the sixth, to reduce the property qualification in respect of the depressed classes. Since conditions vary greatly the Committee would let local Governments decide which methods they adopt, but suggest that the village servant qualification should be introduced at any rate in Madras, Bombay and the Central Provinces, and that extensive use might be made of the bare literacy qualification. They urge that in any case the voting strength of the community should be raised in all but one province to approximately 10 per cent. of its population.

MINOR MINORITIES

The next six Chapters, which are shorter, deal with minor minorities and special interests, aboriginal and hill tribes, the military service qualification, the size of the provincial legislatures, multi-member and single-member constituencies, Second Chambers in the provinces, and the minor administrations, namely Delhi, Coorg, and Ajmer-Merwara. Among the recommendations contained in them are that the existing representation for special interests, namely, commerce, landlords, and the Universities, should be retained but not extended; that representation of some kind should be devised for the aboriginal tribes; that no alteration should be made in the present military service qualification; and that, in view of the substantial enlargement proposed in the size of the electorate, and of the consequent difficulty of managing the existing constituencies, the seats in the provincial legislatures should generally be increased to between two and three times their present number. Although no recommendations are made regarding multi-member and single-member constituencies, the Chapter in which their

respective merits are discussed is of interest owing to its bearing on the communal problem.

FEDERAL LEGISLATURE

In the last four Chapters proposals are made regarding the federal legislature. Here, as the Committee point out, they are confronted with a problem unexampled in history. The federal legislature will be charged with the affairs of 338,000,000 people, a number more than three times larger than has ever before been brought within a single democratically-governed State. Moreover many of the seats will be filled by representatives of the Indian States, where the system of government applied in the provinces is not in operation. As regards the Senate, the Federal Structure Committee of the Round Table Conference recommended that the British Indian members should be elected to it from the provincial legislatures by the single transferable vote, on the principle that the upper house represents the units of the Federation and the lower house the nation as a whole. The Franchise Committee agree with this proposal. Greater difficulty arises in the case of the Federal Assembly. The Committee emphasise that if a legislature is to be efficient there is a limit to its size. They consider 600 members the theoretical maximum. On this basis, if adult franchise were subsequently introduced, the average British Indian consituency would extend over about 1,700 square miles and contain about 250,000 electors. In the Montagu-Chelmsford Report and the Simon Report this was adduced as a reason for advocating indirect election to the federal legislature. The Franchise Committee, however, are against such a course. They point out that since they do not propose adult franchise even for the provinces, the problem of dealing with such vast numbers will not arise for some time; that the difficulties will become less as education and transport improve, and that Indian public opinion is definitely opposed to the indirect method. They therefore recommend direct election to the Federal Assembly as well as the provincial Councils and would leave it to time to overcome subsequent difficulties. As regards the size of the Assembly, they consider the total of 200 seats for British India recommended by the Federal Structure Committee insufficient, and propose 300. This would reduce the area of the constituencies by one-third. The present electorate for the Assembly is 1,140,000 persons, which the Committee consider much too small. But the possibility of having the same franchise for the Assembly as for the provincial councils,—although it would confer wide representation and involve the preparation of only one roll,—is rejected for three reasons. First, that the number of electors per member,—even if separate electorates were abolished and 300 instead of 200, seats were allotted to British India in the Assembly,—would, under existing conditions, be quite unmanageable, since in Bengal and Madras, for example, they would amount to 167,000 and 156,000 respectively. Secondly, that since the provincial electorate has been extended to the limit of administrative practicability, the machinery might break down if all electors could cast votes for the Assembly as well as the Councils on the same day. And thirdly, that the Assembly electorate will be concerned with problems beyond the village voter's knowledge,—and that it would be unwise suddenly to expand the electorate from 1,000,000 to 36,000,000 when most of the latter number will consist of illiterate persons, all but 7,100,000 of whom have hitherto been unenfranchised. The Committee therefore propose the same franchise for the Federal Assembly as that now in force for the provincial councils, supplemented by certain differential educational qualifications for men, women, and members of the depressed classes calculated to raise the total from 7,100,000 to 8,500,000. In the absence of a communal settlement the Committtee could not make final recommendations for representation

of special interests, but they suggest that each provincial Council should elect one woman member for the Assembly, that 8 seats should be reserved for labour, and the same number for commerce and landlords as at present. They consider that representatives of European commerce should all sit in the lower house.

POINTS LEFT OVER FOR DECISION

The following list of points, it is stated, was prepared in the Secretariat after the Committee had dispersed:—

The Prime Minister's letter of instructions (Appendix I) contemplated that the Franchise Committee should, in addition to the matters covered by its present report, submit "complete and detailed proposals for the arrangement of constituencies for the new legislatures, Central and Provincial," and expressed the hope that the Committee would "be in a position in due course so to present a complete and detailed scheme for the composition of each of the provincial legislatures and the Federal Legislature." The question whether the provincial legislatures of the future should be unicameral or bicameral is one which will clearly have to be considered before final recommendations can be made about the size and composition of those legislatures; while the representation, if any, to be provided in the legislatures for the peoples of the excluded areas will also require consideration. A further important question. for consideration is the qualification and disqualifications of candidates for the legislatures.

Apart from the major questions referred to above on which the Committee's Report contains either no recommendations or recommendations of a provisional character there are a number of points of varying importance arising out of, or included in, its recommendations on which no final proposals are or can be, made at this stage and which will require further consideration, for the most part, either after the decision of the communal question or at the stage of the delimitation of constituencies. A list of these questions is appended.

(1) In Light of Communal Decision

1. Minor Minorities.—Number of seats to be allotted in the provincial legislatures (para 323).

2. Special Interests.—The proposals of the Committee for the number of seats to be allotted to special interests in the provincial legislatures are subject to the reservation that some revision may be necessary in light of the communal decision (para 318).

3. Size of Provincial Legislatures.—The recommendations of the Committee can only be made precise once the communal decision has been reached (para 360).

4. Method of election of the Federal Upper House.—The communal issue may have to be taken into account in deciding whether the Senate should be elected as a whole, immediately after each general election, or by one-third or one-half at a time say every three years.

The Committee in these circumstances have made no final recommendation on the point (paragraph 401).

5. Representation of special interests in the Federal Assembly.—The number of seats suggested by the Committee is subject to the reservation that some revision may be necessary after a decision on the communal question has been reached (paragraph 417).

(2) On Delimitation of Constituencies

THE PROVINCES

1. Women.—The Committee are unable in their Report to make final suggestions regarding the formation of women's constituencies, but these

should be determined when the territorial constituencies are being delimited (paragraph 220).

2. Labour.—The allocation of the seats proposed for labour in the provincial legislatures as between trade union and special labour constituencies will have to be determined in connection with the general delimitation of constituencies (paragraph 253) [see also paragraphs 257 (Madras); 259 (Bombay); 262 (Bengal); 264 (United Provinces); 266 (Punjab); 270 (Bihar and Orissa); and 272 (Central Provinces)].

3. Rural and urban representation.—The question of the relative representation of town and country in the legislatures should be examined when constituencies are delimited. The matter is of special importance in Madras, Bombay and possibly in Bengal (paragraph 87).

4. Special Interests in Provincial legislatures.

Commerce; Landlords.—The question of the rearrangement or redistribution of the commercial and landlord constituencies of which the retention is recommended should be further examined at the stage of the delimitation of constituencies (paragraphs 232 and 333).

Universities.—Some provinces have recommended the amalgamation of university seats, and this question should be further considered at the stage of the delimitation of constituencies (paragraph 336).

5. Aboriginal Tribes.—The problem of their representation should be further examined by the local Governments concerned, and brought up for consideration when the time comes for the delimitation of constituencies (paragraph 343).

6. Minor Local Administrations (Delhi, Coorg, Ajmer-Merwara).—The franchise problem in relation to these provinces should be reconsidered at a later stage during the delimitation of constituencies, after they have been further considered by the local administrations in the light of the Franchise Committee's report (paragraph 395).

FEDERAL LEGISLATURES

Labour Representation of Special Interests.

(i) In the case of plantation labour and of the jute industry, where Trade Unions do not at present exist, or are too weak to serve as a basis of representation, the method by which labour is to be represented should be further considered at the time of the delimitation of constituencies (paragraph 423).

(ii) The method by which the labour representatives should be elected will have to be considered in detail at a later stage when the constituencies are being delimited. It has been suggested that the following interests derive special consideration:—Jute, transport, (including railways), textiles, seamen, planting, mining. The Committee further suggest that one seat should be filled through the All-India Trade Union Federation to represent general labour interests falling outside the categories mentioned (paragraph 424).

Landlords.—The detailed arrangements for the constitution of the landlords constituencies should be further examined at the stage when the constituencies are being delimited (paragraph 426).

8. Minor Local Administrations.—The advisability of allotting a second seat to Delhi in the Federal Assembly might be further considered when the general distribution of seats for the federal legislature is under consideration (paragraph 427).

(3) Miscellaneous

THE PROVINCES

1. As soon as the basis of the new franchise has been approved, instructions should be issued for the immediate preparation of an electoral roll on the qualifications finally accepted.

2. Bengal Provincial Franchise.

(a) The local Government should consider whether the adoption as a basis for the franchise of a literacy qualification will result in bringing on the electoral roll an unduly large number of women, especially in non-Muslim constituencies (para. 156).

(b) The local Government's proposals for grouping urban areas in Bengal into constituencies should form the subject of consideration at a later stage of the investigation (para. 137).

3. Punjab Provincial Franchise.—The local Government should re-examine the question of the representation of the non-agricultural tribes, and its effect on their general franchise scheme.

4. Central Provinces Franchise.—The local Government should further examine the rent and revenue qualifications for different parts of the province which will produce the electorate recommended by us (para. 192).

5. Depressed Classes.—Consideration should be given to the lists of depressed classes in the United Provinces, the Punjab, and Bihar and Orissa, so as to arrive at a definite list as soon as possible (para. 299). Local Governments should, when necessary, examine the alternative schemes discussed in paras 308-314 for the enfranchisement of depressed classes up to 10 per cent. of their population strength.

6. Commercial seats in provincial legislatures.—The proposal that the name of the firms, which are members of the Chambers of Commerce which elect to the commercial constituencies, should appear on the electoral roll, and that they should be empowered to depute some one to act on their behalf in an electoral capacity, should be considered by those provinces in which this is not already the practice when the delimitation of constituencies is undertaken (para 325).

FEDERAL LEGISLATURE

7. The Senate.—The question whether any action should be taken about these sections of the provincial legislature which will not be able to secure the quota of council members necessary to elect a senator will require consideration (para 399).

The Assembly.—The Federal Assembly will contain representatives of the States as well as of British India, and the Committee suggest that provision be made in the constitution for a reconsideration of the franchise for British India after a definite period (para. 412).

Representation of Commerce in the Assembly.—The possibility of amalgamating European and Indian Commerce in joint electorates with reservation of seats should be borne in mind. and if hereafter European and Indian Commercial Institutions can agree to combine for the purpose of common representation in the legislature. effect should be given to this arrangement (para 421).

Represenation of Labour in the Assembly.—It has been pointed out that the allocation basis may create difficulties in connection with the provincial quotas in the federal legislature. and this matter will also require consideration (para. 425).

FEDERAL FINANCE COMMITTEE REPORT

RECOMMENDATIONS OF THE COMMITTEE

THE report of the Federal Finance Committee of the Round Table Conference was released for publication on May 7, 1932.

PERSONNEL AND TERMS OF REFERENCE

The Committee was appointed to estimate the probable financial position of the Federal and Provincial Governments of India and to subject to the test of figures the classification of revenues, as suggested by the Sub-committee of the Federal Structure Committee under the chairmanship of Lord Peel.

The terms of reference to the Committee included enquiry into pre-federation debt, powers of taxation, new sources of revenue, provincial contributions, if such contributions be found necessary, emergency powers of the Federal Government, borrowing powers and the division of pension charges. The Committee was entrusted with the duty of advising as to the financial adjustments, if any, which should be equitably made between the Federal Government and the Provinces.

The Committee was composed of Lord Eustace Percy, Chairman, Sir L. J. Kershaw, Sir A. Hydari, Col. K. N. Haksar, Messrs. F. P. Robinson and V. S. Sundaram, Members and Messrs. K. Sanjiva Row and K. Anderson, Secretaries.

PROCEDURE FOLLOWED

The Committee assembled in New Delhi in February, 1932 and held 45 meetings to study the materials supplied in the form of memoranda prepared in the Department of the Government of India and by the provincial governments and to consult with responsible Government officials. In view of the time at their disposal the Committee could not receive formal evidences from non-official sources on the various economic and constitutional problems in connection with any enquiry on public finance.

MAIN RECOMMENDATIONS

The Report covers 53 pages including Appendices. Important points in the Report are given below:—

Federal and Provincial Forecasts

The Committee has made a forecast of the future financial position of the Federal and Provincial Governments and by a contrast of the two shows that the Federal Government will have a surplus while the Provincial Governments will have deficits.

The total value of the identifiable assets to be taken over by the Federal Government amounts to Rs. 10,48,13.21 lakhs, while the total pre-federation liabilities would amount to Rs. 11,82,67.17 lakhs from the debt position of the Government of India.

The Committee is of opinion that if the Federal Government assumed responsibility for the whole of the pre-federation debt, its obligations would be covered by the assets also taken over.

Distribution of Income-tax

Coming to the question of distribution of Income-tax, the Committee is of opinion that personal super-tax should be credited to the province in which the assessment is made.

Meston Award

Referring to the Meston settlement the Committee state that even if they could revise their "standard" scale by re-valuing the factors which they took into consideration and bringing into account the addition to provincial revenues derived from income-tax, the application of such a scale would leave some provinces in deficit or with too small a margin of increased value. In the circumstances the Committee have been driven to the expedient of assessing the contributions primarily with reference to the additional sources of the Provincial Governments—in other words, in proportion to their shares of income-tax.

Claims of Bengal and Assam

Regarding the claim, frequently put forward, of Bengal to a share, in some form, of the proceeds from taxation on the export of jute and Assam's claim to a share in the income from excise duty on kerosene and motor spirit produced within its borders, the Committee hold that these or any similar proposals raise highly controversial questions of principle but, as, in any case they could only result in delaying *pro tanto* the remission of provincial contributions, the Committee have not felt able to take them into account for the purposes of their scheme.

Powers of Borrowing

Regarding the powers of borrowing, the Committee hold that the Government of every Federal unit should have the right of independent borrowing subject to a general obligation to give the Federal Government notice of its intention and an opportunity to offer advice.

REPORT OF FEDERAL FINANCE COMMITTEE

Important extracts from the Report now follow:—

FEDERAL AND PROVINCIAL FORECASTS

In their Report the Federal Finance Committee write:—

(i) Basis of the Forecasts

Our duty is two-fold: first, to estimate the probable financial position of the Federal Government and the Provinces of British India in the early years of the Federation, and to suggest adjustments between them; and secondly, to advise on certain aspects of federal finance, mainly on matters affecting the future relationship between the Federal Government and the constituent Units.

In carrying out our first and main function we have been faced, not only with the inherent difficulties of estimating revenue and expenditure for some years ahead but also with the special difficulty that, owing partly to the world economic crisis and partly to certain internal difficulties all Indian budgets, central and provincial, have been thrown completely out of gear. The yield of the main heads of revenue has been substantially reduced; emergency taxation has been imposed; cuts in pay have been made for a limited period only; while, under many heads of expenditure, severe retrenchments, some temporary and others permanent, have been effected.

In these circumstances, the actuals of the past two years and the budget estimate of 1932-33 afford no reliable guide in forecasting the future position, and it is necessary not only to allow for emergency taxation and retrenchment but also to make certain assumptions in regard to the general economic situation. Broadly, we assume that the present depression will come to an end and that there will follow a period of reviving trade accompanied by a gradual increase of prices which if they do not reach the pre-slump

level, will rise appreciably higher than the level now prevailing. We have tried, in short, to estimate revenue and expenditure in the early years of the Federation under more or less normal conditions; and although our discussions with official representatives of the various Governments have to some extent centred upon the year 1935-1936, we desire to make it clear that we are not in any way attempting to frame a budget for that year or venturing any suggestion as to the actual date of federation. Moreover, although we have presented our forecasts in the form of a review of the position in a single year, we have not lost sight of the fact that it is not a single year, but a series of years, that is in question. We have accordingly made suitable allowances in our general conclusions for any variable factors or tendencies which appear to us to be of importance.

Whatever the actual date of federation may be, we assume that, as the forecast has been prepared at a time when conditions are exceptional, the data on which our proposals are based will be reviewed immediately before the establishment of the Federation in the light of the information then available; and our conclusions should be held to be subject to the result of such a review.

(ii) The Federal Forecasts

Our first step has been to prepare a forecast of the revenue and expenditure of the Federal Government. For this purpose we have been furnished by the Government of India with the fullest materials bearing on all heads of revenue and expenditure, but we alone have been responsible for bringing them together in a combined forecast. The forecast which we give below must not, therefore, be taken as necessarily representing the views of the Government of India.

While we have scrutinised each head of revenue and expenditure in detail, we recognise that, taking each head by itself, the possible margin of error is very wide.

It has also to be remembered that our revenue forecast throughout has, generally speaking, been based on the rates of taxation imposed by the First Finance Act of 1931; that is to say, we have not taken into account the special surcharges on customs, income-tax and salt at present in force.

In the following Table we have, for convenience, given net figures as far as possible on either side of the budget, and items relating to the Chief Commissioners' Provinces and Centrally Administered Areas have been grouped so far as the complications arising from their connection with the Central Government permit. We have assumed that Burma will be separated from India and have estimated the results of this change on such materials as are available, but, apart from this and the transfer to the Provinces of expenditure on their own accounts and audit, we have not allowed for the effects of future constitutional changes. Thus income-tax revenue is included in full and also the State contributions, and no provision is made for any additional expenditure directly due to the establishment of a federal system.

Revenue	(Rs. Lakhs)		Expenditure	(Rs. Lakhs)
Customs	51,20		Debt Services:	
Collection	90		Interest (Net)	11,25
Net	50,30	50,30	Sinking Fund	6,50
Salt	6,70		Posts and Telegraphs (Net)	Nil.
Expenditure	1,15		Military Budget (Net)	47,00
Net	5,55	5,55	Frontier Watch and Ward	1,70

Revenue	(Rs. Lakhs)		Expenditure	(Rs Lakhs)	
Opium	78		Civil Administration including Territorial and Political Pensions but excluding other pensions and cost of collecting revenue, and allowing 60 for provincialisation of accounts and audit		6,85
Manufacture	73				
Net	05	05			
Railways (Net)		5,00			
Currency and Mint (Net)		3,80			
Miscellaneous:					
Ordinary	1,66		Pensions		2,65
Reparations	30		N. W. F P. Subvention		1,00
Total	1,96	1,96	Civil Works		1,60
State Contributions	74	74	Chief Commissioners' Provinces (& Central Areas.)	2,86	
Income-taxes	18,00				
Collection	80		Revenue	1,31	
Net	17,20	17,20	Net	1,55	1,55
Total Revenue		84,60	Total Expenditure		80,10

SURPLUS · 4,50.

(iii) Provincial Forecasts

Our next task has been to attempt to forecast the financial position of the Provincial Governments on a similar basis. Here we have had before us actual forests of provincial budgets for the years 1933-34 to 1937-38. The figures in the following Table approximately represent the probable future position of each Government.

Province	Surplus (+) or Deficit (-). (Rs Lakhs)	Province	Surplus (+) or Deficit (-). (Rs Lakhs.)
Madras	-20	Punjab	+30*
Bombay	-65	Bihar and Orissa	-70
Bengal	-2,00	Central Provinces	-17
United Provinces	+25*	Assam	-65

In arriving at these figures we have assumed that commercial stamps will not be federalised. We have also assumed, in making our estimate for Bombay, that Sind will be constituted a separate Province without any subvention from the Presidency Government, and that the separation will result in a net saving to Bombay of between 90 and 100 lakhs; and we have also taken into account the financial separation of Aden from Bombay. The financial position of the North-West Frontier Province has already been investigated by the Government of India and its deficit is represented by the subvention.

We add three general observations on the provincial forecasts.

EXCISE.—In compiling the forecasts which were placed before us, the Provincial Governments have, generally speaking, assumed that the present economic depression will continue, or at least that recovery from it will be slower than we have assumed for the purposes of this Report. We have revised the revenue forecasts generally to correspond with our own assumptions and have, in particular, increased to some extent the estimates of excise revenue. Even so, the estimates of receipts from excise on country liquor are, we think, still very low and appear to reflect, in varying degrees, a deliberate policy tending to reduce or even extinguish this source of revenue.

EXPENDITURE.—We have not taken into account the possibility of economies other than those already adopted by the Provincial Governments. Some further retrenchments may be possible within the frame-work of the existing administrative system; but, in view of the economies recently effected by Provincial Governments, it would probably be unsafe to suppose

* In estimating for these surpluses we have adopted the figures placed before us by the Government concerned.

that further savings of this kind, effected during the next three or four years, will do more than balance any increased expenditure directly due to the introduction of the new reforms. Substantial reductions in existing expenditure could only be brought about by a comprehensive reorganisation of the system of administration. Measures of this kind are possible; they are being actively considered by at least one Provincial Government, while another has appointed a special retrenchment committee for this purpose; but we have not felt able to make any definite allowance for the effect of such reorganisation.

These remarks have a special application to Bengal After making the same adjustments in the revenue estimates of Bengal as we had made in those of other Provinces, we found that the Bengal Government was still anticipating a permanent deficit equal to about three-fifths of any share in the total proceeds of income-tax which can fairly be claimed by the Presidency, and about one crore more than it can hope to receive out of those proceeds in the early years of federation, except by special treatment at the expense of other Provinces. We fully appreciate the difficulties through which Bengal is now passing, but we cannot believe that the Bengal Government and Legislature have no means at their disposal, whether of economy or of increased taxation, to reduce a deficit of this magnitude; and, in the hope that measures will be devised to meet the situation, we have felt justified in reducing the anticipated deficit by about 40 lakhs. As we shall show later, it is probable that even the deficit which we have accepted for the purpose of our estimate can only be wiped out at the expense of other Provinces, and even so the Presidency would be left with no margin for financing new policies.

GENERAL FINANCIAL POSITION OF THE PROVINCES.—These considerations lead us to add a general warning. Our anticipations of normal provincial revenue and expenditure in the early years of federation do not, and cannot, take account of what may happen during the period before the Federation is established. Our estimates show that, on the basis of their present revenues, most of the Provinces will be in a difficult position at the outset of federation, even if they balance their budgets during the intervening period and carry over into federation only the liabilities which they have already incurred, including those in respect of budget deficits up to 31st March, 1932. If, during the intervening period, they continue to accumulate deficits year by year, the position will become quite unmanageable, and the prospects of real provincial autonomy will *pro tanto* be endangered. We realise the special difficulties which confront each Province, but we cannot refrain from observing that Bihar and Orissa, which has certainly not the least difficulties to contend with, hopes to balance its budget for 1932-33 at the cost of severe retrenchment in all its services. If, as we hope to show, the Provinces can be provided with a substantial addition to their revenues when the proceeds of income-tax begin to be distributed, it is of the utmost importance that they should make, during the intervening period, the sacrifices necessary to enable them to take full advantage of the prospective improvement in their position. Otherwise, the additional expenditure required to provide for the service of further loans, taken to cover deficits, may mortgage the new revenue to such an extent that in many cases provincial autonomy would start under the most unfavourable conditions.

We regard it, therefore, as essential that the Government of India and the Local Governments should give this matter their immediate attention, and should endeavour to concert measures to secure equilibrium in the Provinces during the intervening period.

PROSPECTS OF ADDITIONAL REVENUE

From our examination of the probable financial position of the Federation it seems clear that the transfer of all income-tax receipts to the Provinces in the manner contemplated by the Peel Committee would leave the Federal Government with a large deficit; and as that deficit would be out of all proportion to any possibilities of retrenchment, we must turn, as previous committees have turned, to the examination of possible new sources of revenue federal or provincial.

(i) Federal

(a) EXCISE ON TOBACCO—The present position in regard to this tax appears to be that a substantial revenue may be expected from a system of vend licenses and fees, but that an excise duty imposed in the near future could not be relied on to yield a substantial revenue. The difficulties in the way of a federal excise may be overcome in course of time, but it would be unsafe for us to rely on this in the near future.

(b) EXCISE ON MATCHES—The imposition of an excise duty on matches is already under active consideration, and we feel justified in contemplating the existence of such a duty from the outset of federation.

(c) OTHER EXCISES—It is possible that other excise duties may occupy an important place in the fiscal policy of India in the future, but we do not feel warranted in relying upon the introduction of such measures in the early year of federation.

(d) MONOPOLIES—Except in so far as the proposals already noticed in regard to tobacco may be regarded as a monopoly, we can suggest no new commodity to which the monopoly method could be applied with advantage.

(e) COMMERCIAL STAMPS—There are obvious difficulties in the way of separating stamp duties into two classes, commercial and non-commercial. It could only be done by means of a schedule, and a large element of purely arbitrary selection would be involved. The simple constitutional solution would be to class all stamp duties as provincial sources of revenue. We suggest that the Federal Government should retain the power to legislate on behalf of the Provinces in regard to those stamp duties which are the subject of legislation by the Central Government at the date of federation.

(f) CORPORATION TAX—From the financial point of view, however, it seems clear that, if a corporation tax were imposed on companies registered in the States on the same basis as the present super-tax on companies in British India, the yield at present would be negligible.

(ii) Provincial

(a) TAXATION OF TOBACCO—We suggest that the taxation of tobacco, otherwise than by excise on production or manufacture, should rest with the Units, but that the Federal Government should be given the right to impose a general federal excise. This distinction is, we think, justified by the fact that ex hypothesi the introduction of excise duties on manufacture will be difficult, if not imposible, until manufacture becomes more highly industrialised; and as that development takes place, an excise levied at the factory by one Unit of the Federation would be a tax on consumers in other Units. The federalisation of tobacco excise would not preclude the Federal Government from assigning the proceeds to the Units, if it so desired.

(b) SUCCESSION DUTIES—Bombay is, we believe, the only Provincial Government which has attempted legislation for the imposition of succession duties, and the attempt was unsuccessful. We understand that

even that Government would have preferred that legislation should have been undertaken by the Government of India. We propose elsewhere that succession duties should be classed among taxes leviable by the Federal Government for the benefit of the Units; but clearly the facts would not justify reliance on them as a source of revenue in the near future.

(c) TERMINAL TAXES—The feature of terminal taxation which has impressed us most seriously is its operation, in effect, as a surcharge on railway freights. Where municipal octrois are in force, there appears to be a tendency to substitute for the general levy of dues on all goods entering the municipal boundaries the simpler alternative of a terminal tax collected at the railway station, and there is already a danger that this habit may result in diversion of traffic to the roads. We therefore recommend that, if terminal taxes are to be regarded as a permanent part of the financial structure, they should be imposed by the Federal Legislature for the benefit of the Units. Such terminal taxes as are already in existence (mainly as municipal taxes) will fall into much the same category as other taxes classed as federal which, at the time of federation, are being levied by certain Units; but though it may be necessary for this reason to authorise the municipalities and Provinces concerned to continue to raise these taxes, they should be allowed to do so only within limits laid down by the Federal Legislature. Assam and Bihar and Orissa are the two Provinces which, having few or no municipal taxes of the kind at present, are most desirous of deriving provincial revenue from this source. While we do not rule out the possibility of terminal taxes in these two Provinces and elsewhere as a temporary expedient, in view of the practice which has grown up in various parts of India, we are not prepared to regard terminal taxes as a normal source of revenue.

(d) TAXATION OF AGRICULTURAL INCOMES.—We have not considered the broad issues of policy involved in the taxation of agricultural incomes, but we have considered as we were commissioned to do, the more limited question of the possibility of empowering individual Provinces, if they so desire, to raise, or appropriate the proceeds of, a tax on agricultural incomes. In view of the close connection between this subject and land revenue, we agree that the right to impose such taxation should rest with the Provinces. For the same reason, we think that this right should be restricted to the taxation of income originating in the Province concerned. There will presumably be no difficulty in drafting into the constitution a definition of agricultural income which has so long been recognised in Indian income-tax law and practice. We are aware of no reliable data for estimating the yield of such taxation.

Conclusion

In this survey of possible sources of additional revenue, we have deliberately left out of account the question whether or to what extent it would be possible to increase the yield of existing taxes. We have confined ourselves to an examination of new sources and in this field the results of our survey are not encouraging. We have found that such provincial taxes as appear to be within the sphere of practical politics in the immediate future cannot be relied on to yield any substantial early additions to provincial revenues. In using the phrase "practical politics," we are not, of course, expressing an opinion as to whether this or that tax ought or ought not to be imposed, or even as to whether it is or is not likely to be imposed, by the legislatures of autonomous Provinces when these are constituted. We are only noting the fact that the opposition to certain forms of taxation, or the difficulty of their imposition, is still

so great that they are not likely to be adopted soon enough to influence the financial situation at the time when the Federation comes into being. In the federal sphere, the excise on matches is the only tax which we feel justified in taking into account as an immediate reinforcement of federal revenues. With this reinforcement, according to our figures, those revenues would yield a surplus of about 7.50 crores, including the whole proceeds of taxes on income as federal revenue and if the whole revenue from the new excise were paid into the federal fisc, or about 7.00 crores if only its yield in British India were taken into account. In what follows we take the latter figure, without prejudging the issue whether the excise duty on matches should be a federal tax in the full sense of the term.

PUBLIC DEBT QUESTION

Before considering what settlement can be effected with the Provinces on the basis of the figures at which we have arrived, we have to examine whether the whole of the pre-federation debt will be covered by assets to be taken over by the Federal Government, how pension charges should be allocated, and whether any other part of the expenditure of the Federal Government should be regarded as expenditure on non-federal services, i.e., as a "central charge."

(i) Pre-federation Debt

The valuation of the assets to be taken over by the Federal Government is a matter rather of judgment than of strict fact-finding in view of the uncertainty as to the basis of valuation which should be adopted. We are driven in the case of the commercial departments to adopt as our basis of valuation the capital shown as debited to those departments in the statement of the public debt of India; and, in all the circumstances, this seems to be a reasonable basis. On 31st March 1931 (the date to which the following statistics refer) this figure stood at 7,67,63,17 lakhs. Adding to it the interest-earning debts due from the Provincial Governments (1,51,82.53 lakhs) as well as other interest-earning advances (19,45.18 lakhs) we reach a total of 9,38,90.88 lakhs. The sums outstanding in respect of the commutation of pensions (1,89.95 lakhs) would bring this total to 9,40,80.83 lakhs

STATE PROPERTY—We now deal with the other state property which the Federal Government will inherit. Complete lists of state property falling into this category do not exist, nor is information available in all cases as to the original cost or book value. In the case of New Delhi and the Bombay Military Lands, the figure of the cost (19,88.38 lakhs) can fairly be accepted in view of the recent date of the transactions; and, for present purposes, we take the book value (87,44.00 lakhs) for all the civil and military properties and other miscellaneous items which find a place in such registers as are maintained, although, in our judgment, the book value of several items understates the real value. The lists, however, are very incomplete; and no account is taken of such assets as forests, most of the military lands, Royal Air Force buildings and landing grounds, certain stores, plant of the Public Works Department, furniture, libraries and museums, nor, of course, of roads and bridges. The original cost or the replacement value of these properties must be very large indeed; but we have no materials on which we can form even an approximate estimate of the amount involved.

CURRENCY ASSETS—The total value, therefore, of the identifiable assets to be taken over by the Federal Government which we have considered so far amounts to 10,48,13.21 lakhs without taking into account the numerous items for which no data are available.

There is still another identifiable portion of the public debt of India associated with another class of assets. Following the return of large numbers of silver rupees from circulation in recent years, a portion of the silver holding in the Paper Currency Reserve has been sold. These sales have created a gap in the Reserve amounting to the difference between the nominal value of the rupees melted down and the price realised for the silver. This gap might have been made good by the transfer of securities from the Gold Standard Reserve, as that Reserve had been built up in the past from the profits of coinage. Instead of this procedure being followed, ad hoc Treasury Bills were created and placed in the Paper Currency Reserve. This portion of the public debt of India is therefore associated with currency assets (including in this term the Gold Standard Reserve), which are not being taken into account as assets for the purposes of our calculations. As the Federation will, either directly or through a Reserve Bank, take over these assets, it is right that it should also assume responsibility for this portion of the public debt. The loss on the sale of silver up to 31st March 1931, amounted to Rs. 14,97.81 lakhs. Had this loss been met from the Gold Standard Reserve, the currency assets to be taken over would have been correspondingly reduced and this portion of the debt would not have existed. Adding this item, the total value of the identifiable assets is increased to 10,63,11.02 lakhs.

INDIA'S DEBTS.—Turning, now, to the amount involved, if the whole of the pre-federation liabilities were assumed by the Federal Government, we have ascertained that the debt position of the Government of India on 31st March 1931—the latest date for which actuals are available—was as follows:—

	Lakhs Rs.
Interest-bearing liabilities	11,87,47.85
Non-interest-bearing liabilities	29,89.28
	12,17,37.13
Less liquid assets	34,69.96
Total liabilities	11,82,67.17

Interest-bearing liabilities include not only loans, sterling and rupee, and Treasury Bills held by the public and in the Paper Currency Reserve, but also the balance of the War Contribution, Railway Debenture Stock and Railway Annuities, Post Office Savings bank deposits, Cash Certificates, Provident and certain Family Pension Funds, Depreciation and Reserve Funds and interest-bearing provincial balances. Non-interest-bearing liabilities of a liquid nature include a variety of items, such as deposits and provincial balances which do not bear interest, the amounts due to certain non-interest-earning funds, uncashed cheques and accrued discount on Treasury Bills; while liquid assets include cash balances, repayable advances and the sinking fund investment account for certain loans.

In the above statement, the public debt has been taken at its nominal figure. This debt, carrying, as it does, an over-all rate of interest of 4.29 per cent., might, for the purpose of assessing the present-day capital liability, not unreasonably be written down on a 5 per cent. basis by something like 170 crores; or, viewing the matter in another way, if the irredeemable loans raised at 3½, 3 and 2½ per cent., were reassessed on the same basis, the figure of indebtedness would be reduced by about 145 crores.

Having regard to this and to the fact that our figure of 10,63,11.02 lakhs takes no account of a large and valuable block of assets, we do not hesitate

to report that, if the Federal Government assumed responsibility for the whole of the pre-federation debt, its obligations would be covered by the assets also taken over. It will also be evident from other parts of our Report that the service of the debt will be fully covered by the sources of revenue which will remain at the disposal of the Federal Government.

We are satisfied that, if Burma is separated from India, a division of the liabilities and assets somewhat on the basis suggested in the Howard-Nixon Memorandum will not, so far as the future Federation is concerned, have any invalidating effect on the conclusion at which we have arrived.

(ii) Civil Pensions

In Appendix II we have attempted to analyse the civil non-effective charges at present falling on the central budget and, starting from the assumption, adopted by the Peel Committee, that pensions awarded in respect of service in a department or office, which will be federal, are a proper federal liability, to describe and evaluate the items which constitute the balance of those charges.

The existing civil pension charge can be classified as follows:—

		Approximate cost in 1930-31 Lakhs.
(1)	Political and Territorial Pensions	32
(2)	Pensions paid in respect of members of contributory funds now closed	67
(3)	Pensions paid in respect of members of the I. C. S. Family Pension Fund and the Bengal Pilot Service Fund	8
(4)	Ordinary Pensions including miscellaneous adjustments	1,66
		2,73

Of these, the first are not pensions in the ordinary sense of the term and are clearly a federal charge.

We have now to determine what part of the annual charge for ordinary pensions is properly federal. The present charge in respect of pensions paid out of India is some 80 to 90 lakhs per annum. As indicated in the Appendix, we estimate that about five-sixths of this is in respect of service in the provinces. The charge is rapidly falling (it has fallen by roughly 50 per cent. since 1st April, 1921), while, as regards pensions paid in India by the provinces, there appears to be no need for re-allocation.

The conclusion, then, is that, at the beginning of federation, there will be a rapidly declining non-effective liability in respect of ordinary and family pensions which is not likely to exceed 80 or 90 lakhs per annum. This liability should, theoretically, be apportioned between the various provinces. We therefore recommend that no attempt be made to show this "central" liability of some 80 or 90 lakhs as a separate item in the superannuation charges (of something over 2½ crores per annum) which will appear in the federal budget.

(iii) Central Charges

If our recommendations as to debt and pensions are accepted, we feel justified in assuming that no section of opinion in India is likely to think it worthwhile to separate out of the federal budget such minor items of expenditure as may, at the present moment, be held to be incurred mainly on behalf of the provinces. The cost of the Income-tax Department, including pensions, will of course be treated as a deduction from the yield of taxes on income.

DISTRIBUTION OF INCOME-TAX

(i) Preliminary Remarks

Having made a forecast of the financial position and having dealt with the pre-federation debt and pension charges, we are now in a position to examine the important question what settlement the Federal Government will be able to effect with the Provinces on the basis of our estimates. We must observe, however, that we have no knowledge what provision may have to be made for at least three factors:

(a) Any concurrent settlement with the State,
(b) the separation of Sind; and
(c) additional expenditure directlv due to the establishment of a federal system.

The first two points are under investigation by other Committees while, as to the third, it is clearly impossible to estimate the cost of a Federal Legislature or a Federal Court the constitution of which has not yet been determined. On this latter point, however, we feel bound to remark that we hope the cost of introducing the new reforms will be reduced to a minimum both at the centre and in the Provinces. The opinion is widely held in India that the cost of government already exceeds what can properly be borne by a predominantly agricultural country and it would be deplorable if the first result of the reforms were a large addition to the overhead charges of Government. If we may venture to say so, much may depend on the example set in this matter by the Federal to the Provincial Governments.

In these circumstances, we propose to approach the problem from another angle and to consider what is the minimum sum required to put the Provinces in a fair position to begin their work under the new federal system.

The Peel Committee recommended that taxes on income should be transferred to the Provinces, with the exception of corporation tax which, it was suggested, might in certain circumstances, be retained by the Federal Government. The present super-tax on companies is a corporation tax; but it would obviously be undesirable to define a particular kind of corporation tax in a permanent constitution and we confess that we are unable to devise any definition appropriate to such a constitution except the wide one of a tax on the profits of companies.

In addition, the Federal Government should obviously retain tax paid by residents in the Federally Administered Areas, and we think it should also be allowed to retain tax paid on the salaries of federal officers.

The Peel Committee also recommended that the whole of the taxes on income to be transferred to the Provinces should be so transferred at the outset of federation, and that any resulant federal deficit should be met from Provincial contributions. It is clear from our estimates that, on this basis, there would in fact be a very substantial deficit. We shall state our proposals in terms of the method recommended by the Peel Committee; but it will be seen that, under our proposals, this method amounts, in practice, to a transfer to each Province of a percentage of the share of income-tax estimated to be attributable to it.

Finally, the Peel Committee recommended that the constitution should specifically provide for the extinction of provincial contributions by annual stages over a definite period, such as ten or fifteen years. We have considered this recommendation with the greatest care, and have come to the conclusion that, on the data now available, it is impossible to specify an annual rate of reduction of contributions or a definite period within which

it could be anticipated with reasonable certainty that the natural growth of existing federal revenues, at the rates of taxation we have assumed, would enable the Federal Government to extinguish contributions altogether.

(ii) Principles of Distribution of Income Tax

It is important to select a proper basis of distribution of income-tax receipts. This must satisfy three fundamental tests:—

(a) It should be simple, easily understood and administratively workable.

(b) It should give results as between Province and Province which are likely to be accepted as fair on the whole.

(c) It should not be incompatible with the idea of a federation of autonomous units.

We shall now consider how far the various bases that have been suggested satisfy the above tests.

The Central Board of Revenue has furnished us with an expert review of the various possible methods of distribution from which it would appear that an allocation on the basis of collections (or of the income brought under assessment) would lead to gross injustice as between Province and Province. Companies (often operating over large areas) are assessed at a single place, namely, the head office, which, in most cases, is located in the industrially more advanced Provinces; and interest on securities held all over the country is paid by the Public Debt Offices in Calcutta, Bombay and Madras. We see no reason why, merely because of the accident that income is assessed or tax collected there, these Provinces should benefit at the cost of others in which the income accrues or the tax-payer resides. This basis must, therefore, be ruled out.

Distribution by population has equally no scientific basis; but, as will be seen later, it can be adopted with advantage for the distribution of taxes on certain forms of income which cannot easily be assigned to any particular locality, such as the undistributed profits of companies and the income of non-residents.

There is no doubt much to be said in theory for the basis of origin, but we are satisfied that it would not be administratively workable in respect of the income of individuals and, even in respect of the income of companies, would be workable only if the allocation were to be made wholly on arbitrary lines, either by investing income-tax officers with unlimited discretion or by laying down uniform rules of allocation, irrespective of widely varying conditions. We cannot, therefore, recommend the adoption of this method.

There remains the basis of residence in one of two forms, either the basis of personal income (assessed or assessable) in each Province, or the amount of income-tax on such income attributable to each Province. In making the choice between these two alternatives, it is relevant to consider what would happen if each Province were raising its own taxation; and we have no hesitation in adopting the basis of the tax actually paid as being the more appropriate in the circumstances.

What has to be done, therefore, is to credit each Province with the tax paid by persons resident in it (i.e., by individuals, Hindu undivided families, unregistered firms and certain associations), including tax on dividends received by them from companies. This gives rise to no difficulty in regard to personal super-tax since, generally speaking, super-tax is not collected at source but after formal assessment. In respect of ordinary income-tax, however, we are advised that there are practical difficulties in ascertaining the amount of tax actually creditable to each Province. A substantial part

of the ordinary income-tax is collected at source; and it often happens that no formal assessment is made on the tax-payer (i.e., the recipient of the income) either because the income-tax authorities are satisfied that he has no other source of income or, it may be, because the person evades assessment. While we cannot recommend that increased expenditure on income-tax establishments should be incurred merely to make formal assessments which bring no additional revenue, we are of opinion that the system of statistics now in being should be modified before the inauguration of the Federation in such a way as to facilitate the ascertainment of the personal income-tax creditable to each Province. This system, if suitably modified, could, in our opinion, reduce the element of estimation to a minimum.

Pending the collection of such statistics, the only practicable course appears to be to throw all the personal income-tax (i.e., excluding personal super-tax) into a common pool and to distribute this pool between the Provinces on the basis of the best estimate that can be made from time to time, having regard to formally assessed incomes and to the probable amount of incomes paying tax at source, but not formally assessed, in each Province. Personal super-tax, as already stated, should be credited to the Province in which the assessment is made.

As regards tax on income other than "personal income" (i.e., the income of non-residents and undistributed profits of companies), we are of opinion that, in view of the difficulty of tracing the origin of such income, the proceeds should be distributed on the basis of population. This would incidentally help, to some extent, the poorer Provinces with large populations like Bihar and Orissa and the United Provinces.

The plan that we have suggested above appears to satisfy the first two criteria referred to in our opening paragraph, and we may now examine how far it satisfies the third criterion. It is obviously neither possible nor necessary to work out the results of all the possible schemes of taxation of incomes that the Provinces might evolve if they were independent states. They could, however, tax only persons within their jurisdiction, and things within their jurisdiction, i.e., tax on the basis of residence or on that of origin; and all schemes of income-tax ultimately rest on these two bases in some form or other, whether singly or in combination. The co-existence of varying systems in the different Units would undoubtedly give rise to various problems of double taxation, in regard to which a Province would, if it desired to give relief, have to negotiate with other Provinces. All schemes of relief from double taxation, however, are of the nature of compromises, and not, therefore, likely to be strictly logical or consistent; and it is consequently impossible to determine *a priori* what exactly would happen if each Province levied tax as an independent State. But what we are concerned with is not so much what the Provinces would actually do if they were independent States as whether our scheme is inherently consistent with the idea of provincial autonomy. A system of taxation resting primarily on the basis of residence, with reciprocal exemptions for residents of other States, which is the essential feature of our scheme, does not, in our opinion, conflict with this idea. Indeed, such arrangements as between independent States are not without precedent, and are in fact favoured by the balance of expert opinion.

(iii) The Distribution Proposed

On the basis that we have recommended and on the data available to us, we estimate that the proceeds of taxes on income would be divided

between the Federal Government and the Provinces in the following manner:—

Total gross yield of income-tax	18.00
Less cost of collection	80
Net Yield	17.20
Super-tax on companies, tax on salaries of federal officers and personal income-tax and super-tax levied in Federal Areas (to be retained by the Federal Government)	3,70
Balance available for distribution to the Provinces	13,50

Of this sum, about 2,00 lakhs represent collections of personal super-tax (i.e., other than company super-tax) and would be distributed on the basis of actual collections from residents. Of the balance of 11,50, about one-seventh would approximately represent the estimated tax on the undistributed profits of companies and on the incomes of persons resident outside British India; and we suggest that this fraction of the income-tax receipts should be distributed on the basis of population. The remaining six-sevenths would be distributed on the basis of the estimated share of personal income-tax creditable to each Province. The following Table sets out the position.

DISTRIBUTION OF INCOME-TAX

[In Lakhs of Rupees]

Province	2 crores on collections of personal super-tax	1/7th of 11½ crores on population basis	6/7th of 11½ crores on basis of personal income-tax without federal salaries	Total
Madras	7	30	1,46	1,83
Bombay (including Sind)	50	14	2,79	3,43
Bengal	1,10	32	2,63	4,05
United Provinces	8	31	84	1,23
Punjab	2	15	74	91
Bihar and Orissa	18	24	65	1,07
Central Provinces	3	10	46	59
Assam	1	6	22	29
North-West Frontier Province	1	2	7	10
Total	2,00	1,64	9,86	13,50

We desire to emphasise that the percentages given in the above table are estimates only and are not intended to be precise figures for insertion in the constitution. The super-tax figures, of course, represent actual collections, and would be so referred to in the constitution or in statutory rules under the constitution. The figures we have given may be affected in the future by trade conditions. Even in the case of income-tax, it may not be necessary to lay down any percentages if it be found possible for the Central Board of Revenue to evolve a system under which the proceeds of the tax could be distributed each year on the ascertained figures of, say, the preceding year instead of on estimates. On the other hand, if, as we suggest later, the contributions from the Provinces are fixed in proportion to the shares of income-tax made over to them, it might be an advantage, from the point of view of the stability of the provincial budgets, that the share (i.e., percentages) of income-tax due to the Provinces should not be altered from year to year, even if readily ascertainable, but be fixed for a term of years, the percentages due to each Province being revised (say) every five years on the basis of the figures of personal income-tax for the

previous quinquennium as disclosed by the income-tax statistics. In view of the incomplete data on which our estimates have been made a special review would, in any case, be necessary at the time the Federation is established in order to fix the initial percentages. If it is considered necessary that the percentages to be used as the basis of distribution from time to time should be finally determined by some independent authority, we would suggest that this might be done by the Auditor-General.

(iv) Basis of Contributions

We have now to consider on what basis the total contribution to be taken from the Provinces should be allocated among them.

We have studied the scheme of the Meston Settlement with a view to adapting it, if possible, to the solution of our problem, since, in spite of the difference created by the advent of Federation, our problem has some affinity with that considered by the Meston Committee.

Under the Meston Settlement there were two fundamental scales of contributions—the initial scale which was fixed arbitrarily but with reference, primarily, to the additional resources at the disposal of each Province as a consequence of the re-allocation of heads of revenue under the Reforms, and the "standard" scale which was calculated with reference to all relevant factors, namely, wealth (both actual and potential), taxable capacity, the revenue of the Provincial Government and its possible expansion, the standard of expenditure, liability to famine, etc. The "standard" scale was to be reached gradually in seven years by nearly equal steps. Bihar and Orissa, which in view of its specially bad financial position was allowed to start with no contribution, made no contributions at any time; and from 1922-23 onwards the Government of India remitted also the contribution of Bengal. All the contributions were extinguished in 1927-28 and effect was never given to the ultimate "standard" scale of contributions recommended by the Meston Committee.

Our problem is more akin to that which the Meston Committee had to consider in respect of the first seven years of the Montagu-Chelmsford Reforms than to the permanent scale of contributions which that Committee had to determine; and, even if we could revise their "standard" scale by re-valuing the factors which they took into consideration and bringing into account the addition to provincial revenues derived from income-tax, the application of such a scale would leave some Provinces in deficit or with too small a margin of increased revenue. In the circumstances, we have been driven, as the Meston Committee were driven in respect of the transitional period, to the expedient of assessing the contributions primarily with reference to the additional resources of the Provincial Governments—in other words, in proportion to their shares of income-tax.

We have already indicated that we should prefer the income-tax collected each year to be distributed, not on the actual ascertained percentages of each year, but on percentages based on the actual figures for a series of years and fixed for a term of (say) five years. We consider that the aggregate contributions to be paid by the Provinces to the Federation should be a fixed sum which should be reduced gradually as and when the Federal Government can afford to do so. This aggregate should be apportioned among the Provinces, at the same intervals of five years, in proportion to their shares of income-tax and super-tax; and the sums thus assigned to each Province should remain subject at any time to rateable reduction in the event of a reduction of the aggregate contribution.

(v) Contributions Proposed

The following tables sets out the results of applying these principles on the assumption that the Federal Government will be unable, at the outset, to devote more than five crores to the settlement with the Provinces; or, in other words, that the Provinces will have at first to contribute 8½ crores to the Federal Government:—

Province	Surplus (+) or deficit (—) on the basis of present provincial revenues	Share of income-tax	Full contribution payable proportionately to the amount under column 3.	Surplus (+) or deficit (—) if full contribution is paid.
Madras	—20	1,83	1.15	+48
Bombay (excluding Sind)	—65	3,22	2,03	+54
Bengal	—2,00	4,05	2,55	—50
United Provinces	+25	1.23	78	+70
Punjab	+30	91	57	+64
Bihar and Orissa	—70	1,07	68	—31
Central Provinces	—17	59	37	+5
Assam	—65	29	18	—54
N.-W.F Province		10	6	..
Sind		21	13	..

If our estimates are approximately correct, our plan will thus leave three Provinces in deficit. If contributions could be reduced rateably by 2½ crores in the aggregate—i.e., if the Federal Government could devote 7½ crores to the settlement with the Provinces—Bengal would be left with a surplus of about 25 lakhs, and a little less than 25 lakhs would be required to wipe out the deficit of Bihar and Orissa and to remit to Assam the whole of its contribution—a sum which could be distributed rateably among the other Provinces without arousing any serious sense of grievance. If contributions could be reduced by 1 crore in the aggregate—i.e., if the Federal Government could devote 6 crores to the settlement with the Province—this reduction would be approximately sufficient to wipe out the deficits of Bengal and Bihar and Orissa and to remit the contribution of Assam, if the benefit of the reduction were given wholly to these three Provinces. If no more than 5 crores are available for the settlement with the Provinces and if, nevertheless, it is desired to fill the deficits of Bengal and Bihar and Orissa and to remit the whole contribution of Assam, this can only be done by reducing the share of the 5 crores which would go to the other Provinces.

Bengal has frequently put forward a claim to a share, in some form, of the proceeds from taxation on the export of jute. Assam, too, has recently claimed the excise duty on kerosene and motor spirit produced within its borders. These or any similar proposals raise highly controversial questions of principle; but as, in any case, they could only result in delaying *pro tanto* the remission of provincial contributions we have not felt able to take them into account for the purposes of our scheme.

We have considered other proposals which might to some extent conceal the realities of the situation, but it seems better to state frankly that the only method of relieving the deficit Provinces is to spread the charge over the other Provinces. The charge ought to be spread in proportion to the amount of income-tax received by each Province, but so as not to convert any of their surpluses into a deficit. If a remission of 50 lakhs were made to Bengal, 33 lakhs to Bihar and Orissa, and 18 lakhs (the whole contribution) to Assam, the results would be as shown in the following Table:

	Full contribution payable.	Contribution proposed	Final surplus
Madras	1,15	1,41	22
Bombay	2,03	2,48	0
Bengal	2,55	2,05	0
United Provinces	78	95	53
Punjab	57	70	51
Bihar and Orissa	68	35	2
Central Provinces	37	37	5
Assam	18	0	—36

If this procedure were adopted, we should hope that the preferential treatment of certain Provinces in the matter of contributions would only be temporary; but so long as it continues we think that the extinction of the excess contributions of the Provinces which are contributing more than their share should be regarded as a first charge on any sum available to the Federal Government for the reduction of contributions.

Assam is in a special position since, obviously, no special treatment within the limits of a scheme for distributing income-tax will meet its needs. If its whole contribution is remitted, it will still be left with a deficit of 36 lakhs. This figure would be reduced by about 10 lakhs if the Government of India were to relieve the Province of certain charges in respect of frontier tracts on the lines of proposals recently made by the Government of Assam. A possible further source of revenue would be a terminal tax, the yield of which is estimated by the Provincial Government at about 20 lakhs. For the rest, we can only make a suggestion. Assam appears to present one peculiar feature, not present in the same degree in any other Province, namely, that it is comparatively undeveloped and can not itself afford to raise the capital necessary for its development. It is at least possible that Assam might be made self-supporting in the future by a well-considered programme of development and land settlement financed by federal loans, possibly on terms which would take account of the immediate difficulties of the Province during the period until the development becomes effective. We suggest that the Government of India should examine this possibility in consultation with the Government of Assam.

(vi) Conclusion

We conclude that (1) 7½ crores is the amount required to carry out a logical distribution of income-tax among the Provinces with special treatment only for the two Provinces which are generally recognised to be in need of such treatment.

(2) Six crores would be sufficient to give special treatment to Bengal as well as to these two Provinces, while leaving Madras, Bombay, the United Provinces and the Punjab each with a substantial surplus ranging from about 45 lakhs to about 70 lakhs.

(3) On the basis of 5 crores, a method of distribution can be devised which, while calling for temporary sacrifices from these four Provinces, would enable every Province except Assam to balance its budget.

On our estimated federal surplus of 7 crores, a net distribution of 5 crores would leave 2 crores available for the contingencies to which we have referred. We can express no opinion as to whether this balance will prove more than sufficient to meet those contingencies, but we should hope that any new expenditure arising out of the establishment of the Federation, including the separation of Sind, will not exceed about one crore.

If it were found necessary to abandon the idea of corporation tax as a federal source of revenue, the proceeds of the tax could be distributed to the Provinces on the same basis as personal income-tax (one-seventh in

proportion to population and six-sevenths in proportion to personal income-tax assessed on residents), the provincial contributions being correspondingly increased. But, if this were done, the Federal Government would lose the one tax which could be relied on at present to compensate it for a fall in customs revenue.

We therefore venture to make a suggestion which we do not think is inconsistent with the principles laid down by the Peel Committee, and is, indeed, in harmony with their desire to secure "a considerable degree of elasticity in the financial framework" One fact which has come out clearly in our investigations is the widespread recognition of the need for uniformity of taxation throughout India in certain fields. It is for this reason that we have already suggested that the Federal Government should retain the power of legislation in regard to certain sources of revenue levied for the benefit of the Units. The allocation to the Federal Government of the 'power' of taxation in these fields in no sense implies that the actual 'collection' of the taxes concerned should necessarily be placed in the hands of federal officers, and it may be worth noting that the collection of the existing duty on petroleum products in British India is carried out by officers in the service of the Provincial Governments.

Our suggestion is that the Federal Government should have a general power to impose a surcharge for its own purposes on any tax levied by it in this way for the benefit of the Units. If this suggestion were adopted, it would, we think, be necessary to accord to the Units, on their side, some interest in the proceeds of federal excises, and to provide that the Federal Government should be at liberty to assign the whole or any part of the proceeds to them, as may be laid down in the Federal Act imposing the particular duty.

(vii) Concluding Remarks on the Settlement

It may not be out of place here if we draw attention to one or two of the conclusions which appear to arise from the facts

The facts seem to show, in the first place, that, given a recovery from the present abnormal economic conditions, the financial scheme outlined in the Peel report provides a foundation on which an Indian Federation can be established and can begin its work. Under that scheme it will apparently be possible to give relief to the Provinces, commensurate in amount with their most urgent needs and compatible in form with their dignity as autonomous Units. But the facts show also that this relief to the Provinces not only need not, but cannot, be given at the expense of the other Units.

We have found as a matter of fact that the Federal Government will not have at its command, at the outset of federation, large reserves wherewith to satisfy claims, whether of the Provinces or of the States, which the Government of India have hitherto found themselves unable to meet. This fact has a bearing on the problem of equalising burdens as between all Units of the Federation. It seems clear that the power of the Federal Government to redress inequalities will be limited by intractable facts.

Perhaps this conclusion points to another It is doubtful whether a jealous comparison of relative burdens offers a sound basis for a successful partnership Each partner in a new enterprise must bring something substantial into the common pool and may expect to derive solid advantages from the partnership commensurate with his contribution, but if those conditions are fulfilled, the partners will be unwise to insist on a meticulous equality.

POWERS OF TAXATION

(i) Allocation of Powers and Lists of Sources of Revenue

Every government working under a fixed constitution must have powers of taxation, which are not merely commensurate with its normal functions but also sufficient to support its credit both at home and among the nations of the world. A government whose revenues are inelastic or whose powers are so restricted that it cannot maintain a proper balance between direct and indirect taxation will be in danger of finding that its credit is as inelastic as its revenues and as restricted as its powers of taxation. The Peel Committee contemplated that the necessary reinforcement of federal revenues might be found in excise duties and in a corporation tax.

One fact which has come out clearly in our investigations is the widespread recognition of the need for uniformity of taxation throughout India in certain fields. It is for this reason that we have already suggested that the Federal Government should retain the power of legislation in regard to certain sources of revenue levied for the benefit of the Units. The allocation to the Federal Government of the power of taxation in these fields in no sense implies that the actual collection of the taxes concerned should necessarily be placed in the hands of federal officers, and it may be worth noting that the collection of the existing duty on petroleum products in British India is carried out by officers in the service of the Provincial Governments.

Our suggestion is that the Federal Government should have a general power to impose a surcharge for its own purposes on any tax levied by it in this way for the benefit of the Units. If this suggestion were adopted, it would, we think, be necessary to accord to the Units, on their side, some interest in the proceeds of federal excises; and to provide that the Federal Government should be at liberty to assign the whole or any part of the proceeds to them as may be laid down in the Federal Act imposing the particular duty.

This proposal, if adopted, would, of course, result in anomalies so long as taxes imposed for the benefit of the Units were not levied uniformly throughout the Federation; but, as we have seen, an anomaly of precisely this kind must in any case exist in regard to income-tax for some time after the Federation is established, quite apart from any question of the fiscal policies of the States. Whatever those policies may be, the Federal Government will in any case be obliged to retain, in the form of contributions, a much larger percentage of the proceeds of income-tax attributable to the Provincials than would be involved in a mere federal surcharge.

On this basis, we append three lists of sources of revenue in regard to which the power of legislation should rest with the Federal Government:—

I. Sources reserved to the Federation

II. Excise Duties.

III. Taxes leviable for the benefit of the units subject to a right of federal surcharge.

All the rights thus reserved to the Federal Government may, of course, be subject to exceptions in favour of the States, whether in respect of their treaty rights, or in respect of taxes now levied by them, or in respect of special postal and currency rights, or otherwise.

In Appendix IV, we also give, as we are required to do, a list of other sources of revenue. This list may serve as a basis for any specific schedule of sources reserved to the Units which it may be decided to insert in the

constitution. It includes sources which are or may be open to local authorities, since, in constitutional theory, local government taxes are provincial or state taxes, and, in practice, the two cannot be delimited as separate spheres.

I.—SOURCES RESERVED TO THE FEDERATION

1. Revenue from the public domain vested in the Federal Government, including lands, buildings, mines, forests, and any other real property of the Federation.
2. Revenue from federal enterprises, including railways, aviation, posts and telegraphs, opium and salt manufacture, and other undertakings of the Federation.
3. Profits arising from the management of federal currency, banking profits, revenue from investments or loans, payments to the Federal Government in discharge of debt, and federal lotteries.
4. Fines and penalties arising in respect of subjects administered by the Federal Government.
5. Fees levied in the course of discharging the functions committed to the Federal Government, such as fees of the Federal Court, port pilotage and lighthouse dues, and fees for the registration of companies.
6. External customs duties and export duties.
7. Excise on salt.
8. Taxes on immigrants.
9. All sources of revenue within the Federally Administered Areas.
10. Contributions from the Units of the Federation as prescribed in the constitution.
11. Any other receipts accruing in respect of federal subjects.

II.—EXCISE DUTIES

Excise duties, excluding those on salt (See List I.), and on alcoholic liquors, narcotics (other than tobacco) and drugs†

III.—TAXES LEVIABLE FOR THE BENEFIT OF THE UNITS SUBJECT TO A RIGHT OF FEDERAL SURCHARGE

1. Revenue from the public domain, including lands, buildings, mines, forests, fisheries and any other real property belonging to the Units.
2. Revenue from public enterprises such as irrigation, electric power and water supply, markets, slaughter houses, drainage, tolls and ferries, and other undertakings of the Units.
3. Profits from banking and investments, loans and advances and State lotteries.
4. Fines and penalties arising in respect of subjects administered by the Governments of the Units.
5. Fees levied in the course of discharging the functions exercised by the Governments of the Units and local authorities, such as court-fees, including all fees for judicial or quasi-judicial processes, local rates and dues, fees for the registration of vehicles, licenses to possess fire-arms and to drive automobiles, licensing of common carriers, fees for the registration of births, deaths and marriages, and of documents.
6. Capitation taxes other than taxes on immigrants.

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† We think that excises on all drugs, whether "dangerous" or other, should rest with the Units, including taxes on proprietary medicines and the like.

7. Taxes on land, including death or succession duties in respect of succession to land.

8. Taxes on personal property and circumstance, such as taxes on houses, animals, hearths, windows, vehicles, chaukidari taxes; sumptuary taxes; and taxes on trades, professions and callings.

9. Taxes on employment, such as taxes on menials and domestic servants.

10. Excises on alcoholic liquors, narcotics (other than tobacco) and drugs, and taxes on consumption not otherwise provided for, such as cesses on the entry of goods into a local area, taxes on the sale of commodities and on turnover, and taxes on advertisements.

11. Taxes on agricultural incomes.

12. Stamp duties other than those provided for in List III.

13. Taxes on entertainments and amusements, betting, gambling and private lotteries.

14. Any other receipts accruing in respect of subjects administered by the Units.

15. Also, in the case of the States, any sources of revenue not specified above but referred to in paragraph 103 of Section VI of the Report.

(i) Actual Position at the Outset of Federation

Note.—The following classification, (a) and (b), merely represents what we assume may be the actual position in regard to these taxes at the outset of federation, and not necessarily a permanent constitutional classification.

(a) in British India

1. Taxes on personal income other than agricultural; death or succession duties other than duties in respect of succession to land; taxes on personal capital other than land; and taxes on mineral rights.

2. Terminal taxes on railway, water or air-borne goods and passengers, and taxes on railway tickets and goods freights.

3. Stamp duties on certain transactions.

(b) in The Federation as a Whole

Taxes on the income or capital of corporations.

(ii) Questions Relating to the Taxes in List III

The above scheme of allocation need not affect the substance of our proposals either for the distribution of income-tax or for the assessment of provincial contributions. The only change in our proposals would be that the Federal Government would not retain the proceeds of the super-tax on companies, which would be assigned to the Provinces together with other taxes on income; but the Federal Government would retain instead, as a general surcharge on all income-tax attributable to the Provinces (i.e., tax other than that on federal officers and residents in Federal Areas), a sum of approximately the same amount. The yield which we have assumed for the super-tax on companies in paragraph 74 above is 2½ crores.

We have found considerable conflict of opinion to the desirability of giving the Provinces a right of surcharge on the standard rates of income-tax. On the whole, we think that the Federal Legislature should have power to authorise the Units to impose a surcharge on any of the taxes in list III within such limits as it may think fit.

(iii) Other Questions Arising Out of the Proposed Allocation of Powers

To some extent the allocation of powers of taxation depends upon the allocation of other powers between the Federation and the Units. For

instance; the power to establish monopolies cannot be regarded solely, or even mainly, as a power of taxation, and it will be observed that we have been obliged to leave the classification of Federal and other public enterprises open in our lists.

It will be necessary to include in the constitution some provision in regard to taxts classified as Federal which, at the date of Federation, are already being levied by one or more of the Units.

OTHER QUESTIONS.

It remains for us to consider a number of other questions referred to us.

(i) Emergency Contributions

We are asked to report on the principle of allocation to be adopted for the contributions which it is contemplated may be called for from the Units by the Federation in an emergency.

Three possible bases of allocation suggest themselves:—(1) The revenue of the Units; (2) their population; and (3) a formula based upon a scientific survey of their relative taxable capacity. The most satisfactory permanent provision would obviously be the third; but, in the absence of some such survey undertaken in connection with a general census of production, the first appears to be the best solution. The revenue of each Unit would have to be determined on a comparable basis, and such a basis might be laid down by the Auditor-General. The application of this criterion would present no difficulty in the case of the Provinces. Any Units which are unable to present returns to the Federal Government on the lines laid down by the Auditor-General might be assessed on a population basis, the amount of the total contribution being divided for this purpose in proportion to population between these Units and those accepting the revenue basis.

(ii) Grants from Federal Surpluses

The recommendation of paragraph 14 of the Peel Report is that, in the event of the Federal Government's ultimately finding "that Federal revenues yield an apparently permanent surplus", it should "be free, as a possible alternative to the reduction of taxation, to allocate the surplus proceeds to the constituent Units." It was thought desirable that "the constitution itself should lay down the proportions in which funds thus available should be divided among the Units."

We suggest that, as the surplus would arise mainly from taxes on consumption, the distribution should be made on a population basis. It would, of course, be open to the Federal Government to distribute any part of such a surplus for specific purposes on any basis which might be determined by the Federal Legislature.

(iii) Borrowing Powers

The Peel Committee expressed the view in paragraph 22 of their Report that "there must apparently be a constitutional right in a Province to raise loans in India upon the security of its own revenues." We recognise the constitutional propriety of this proposition as well as the political arguments in favour of it, but we are bound to point out its implications. It appears to involve vesting a Province with independent power to pledge provincial revenues which, as stated in the same paragraph of the Peel Report, form part of the security for the whole corpus of the Federal debt, and which, moreover, form the sole security for the loans made by the Federal Government to the Province itself. We attach particular importance to this latter point, for the obligations of the Provinces to the Provincial Loans

Fund have been treated in our Report, as in previous discussions on the subject, as assets covering an equivalent part of the pre-Federation debt. The right of the Federal Government to call for contributions from the Units in case of emergency may perhaps afford some guarantee of the general Federal debt, as suggested by the Peel Committee, but it scarcely constitutes a sufficient guarantee of the debts owed by individual Provinces to the Federal Government itself. We feel, therefore, that it is difficult wholly to disregard the considered views of the Finance Department of the Government of India expressed in paragraph 42 (3) of the memorandum submitted to the last Session of the Round Table Conference.

From the purely financial point of view it would, of course, be desirable that, so long as the security for the pre-Federation debt includes the revenues of the Provinces, the latter should only be allowed to borrow with the consent of the Federal Government; but, if this limitation of Provincial Autonomy is regarded as politically inexpedient, we suggest that a middle course, based on the distinction between the general debt of the Federal Government and loans made to the Units by the Federal Government, might provide a suitable compromise. We presume that all Units will have a general right to apply to the Federal Government, as the Provincial Governments now apply to the Government of India, for the loans they require, subject to the Federal Government's being satisfied that they are able to offer adequate security for such loans; and in that case the present Provincial Loans Fund will become a Federal Loans Fund. This being so, we suggest that the Government of every Federal Unit should have the right of independent borrowing recommended by the Peel Committee, subject to a general obligation to give the Federal Government notice of its intention and an opportunity to offer advice. We doubt whether the power of control, suggested by the Peel Committee, over the time at which a Unit may issue a loan, could be expressed in the constitution in any more definite form than this. If, however, a Federal Unit has loans outstanding with the Federal Government (whether or not such loans were raised before the date of federation), its right of independent borrowing should be regarded as in abeyance, and it should be obliged to obtain the consent of the Federal Government for any further loan which it desires to raise.

As regards the machinery required to carry out these principles, we think that preliminary consultation between the Units participating in the Federal Loans Fund will be desirable for the purpose of avoiding excessive and conflicting application to the Federal Government for loans; and, if an Inter-State Council be set up for the purpose of securing co-ordination in certain fields of administration, this body might usefully be employed for that object. Such a body, however, should not have the right to consider applications for loans on behalf of the Federal Government; still less could it be the authority for raising loans. It seems clear that only the Federal Government can have authority to raise or make loans. In raising loans, it will no doubt take such expert advice as may seem to it useful in the particular circumstances. In making loans to the Federal Units, however, we think it should be required to follow a definite procedure. All applications for such loans should be referred by it to a body of Loan Commissioners. This, we consider, should be an expert and impartial, not a representative, body. Apart from other considerations, some Provincial Governments at any rate would certainly be unwilling that their applications should be considered by representatives of other Provinces, and State Governments may be expected to feel at least an equal reluctance. Applications from Units having loans outstanding from the Federal Loans Fund

for consent to independent borrowing should also be referred to these Commissioners. The decision on all applications should, however, rest with the Federal Government itself, which should have full discretion to fix the terms of any loan it may grant to a Unit and to attach such conditions as it may think fit. It should also have the right to attach conditions to any consent it may give to independent borrowing by any Unit.

(iv) Immunity of Federal Property

The Peel Committee agreed in principle to the proposition that no form of the taxation should be levied by any Unit of the Federation on the property of the Federal Government, but felt some difficulty as to the precise form in which such an immunity could be expressed in the constitution. These, of course, are matters for a constitutional lawyer and, as such, hardly fall within our competence. We would observe, however, that no difficulty appears to have been experienced in other federations, as is shown, for example, by Article 125 of the British North America Act (1), Article 114 of the Commonwealth of Australia Act (2), and Article 10 of the Constitution of Brazil (3).* This being the case, we doubt whether anything more was necessary than a general provision in the constitution, and we also doubt whether a distinction between provincial and municipal taxation, even if it were practicable, would be appropriate to a federal constitution. The exact application of the principle can, we think, be left to the judgment of the Federal Government itself. We suggest, therefore, that the wording of the constitutional clause should be on the following lines:—

"No property belonging to the Federal Government shall be liable to taxation without the consent of that Government."

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* (1) British North America Act, Article 125:—
No Lands or Property belonging to Canada or any Province shall be liable to Taxation.

(2) Commonwealth of Australia Constitution Act, Article 114:—
A State shall not, without the consent of the Parliament of the Commonwealth, raise or maintain any naval or military force, or impose any tax on property of any kind belonging to the Commonwealth, nor shall the Commonwealth impose any tax on property of any kind belonging to a State.

(3) Constitution of the United States of Brazil, Article 10:—
The States are prohibited from taxing Federal property and revenues or services undertaken on account of the Union, and *vice versa*.

PRINCES AND FEDERATION

QUESTION OF SAFEGUARDS

THE question of joining an All-India Federation had been engaging the anxious attention of the Indian States since the first session of the Round Table Conference when the Princes pronounced sympathy for participating in the Indian Federation. It was also soon perceived that this decision did not meet the assent of all the Princes. A number of informal meetings were convened at Delhi towards the end of March, 1932 to chalk out a programme of action for the future. After a good deal of deliberations an agreement was reached in favour of participation in an All-India Federation subject to certain guarantees. This was embodied in the shape of a resolution to be moved in the Chamber of Princes on April 1, 1932.

DEMAND FOR SAFEGUARDS

The resolution* which was passed unanimously in the Chamber of Princes on April 1, 1932 ran thus:—

This Chamber declares that the States will join an All-India Federation on the assumption that the Crown will accept the responsibility for securing to them the following guarantees:

(a) that the necessary safeguards will be embodied in the constitution;
(b) that under the constitution their rights arising from the treaties or sanads or engagements remain inviolate and inviolable;
(c) that the sovereignty and internal independence of the States remain intact and are preserved and fully respected and that the obligations of the Crown to the States remain unaltered.

To secure this end, the Chamber authorises its representatives further to carry on negotiations in accordance with the mandate given to them at informal meetings of the Princes and retains the right to examine the whole constitution in its completed form and draft bill before the final ratification by the Chamber and by each individual States.

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*The "Economist", commenting upon the resolutions adopted by the Chamber of Princes, wrote:—

The States have now definitely pledged themselves to federation as a body. At the same time, the conditions and guarantees, as re-stated, are uncompromising and comprehensive. If the States were really to stand on the letter of these conditions in perpetuity, the All-India Federation of the future might find its life and growth and movement seriously cramped; but perhaps this is not a very formidable practical danger. The great thing is that the Princes should have made up their minds definitely to enter the Federation. The histories of other federations show that, at the moment of taking the decision to merge their separate existences in a larger whole, the federating States are apt to insist upon their State rights very jealously; but that in process of time the logic of facts impels them to modify and even waive these jealously preserved rights of their own volition. For a Federal Union, once successfully established, becomes a living thing in itself, which changes and grows and carries its parts and organs along in the movement of its own life. Thus, on a long view, the Indian Princes' resolution, taken as a whole, is not unsatisfactory, while, on a short view, it is highly opportune as a fresh practical step towards the goal of Indian self-government. It is particularly important, of course, that as many such steps as possible should be taken at a time when the Government of India is having, unfortunately, to pursue a dual policy of simultaneous constitutional advance and administrative repression.

ATTITUDE OF THE PRINCES ON PROPOSED SAFEGUARDS

The debate in the Chamber of Princes on April 1, 1932 shows the attitude of the princes towards the problem of federation and is briefly dealt with below:—

In moving the resolution above referred to, Nawab of Bhopal, Chancellor of the Chamber of Princes, said:

"The recommendations of the Simon Commission had gone some way, though not far enough, to remedy the principal defect of the Act of 1919. For a matter of 50 years, from 1860 onwards, the British Government has developed their British Indian possession. This economic development has tended to overshadow the political obligation. We protested, often mildly, sometimes, from sheer anguish, loudly, but our protests were all against the infringement of one part only of our rights, namely, political. In our ignorance we did not then realise how our fiscal and financial rights had at the same time been adversely affected. In 1917 we urged that we must have an opportunity of discussing matters which touched our vital interests. The end of another decade found our position even worse than before, and we succeeded to the extent of obtaining an investigation. These led to the formulation of certain dicta which we were unable to accept.

My review of the past is not being made in any unfriendly spirit but rather to show how the present position has been reached. Your Highnesses are aware of the reassuring attitude of the Viceroy. For my part, the conviction has been borne in upon me that, whatever may have happened in the past, in the immediate future a new chapter in the history of the States is going to be written and they can safely believe that in the future they will be immune from any encroachment upon their treaty rights and that their economic interests will be fully safeguarded. In the main the position that has been created as the result of the Round Table Conference is as follows:—

Our dynastic matters must remain the care of the Crown; our internal affairs must remain beyond interference from any quarter; our treaties, engagements and sanads must be literally respected and there must be other necessary safeguards embodied in the constitution.

Given these guarantees, we shall, for matters agreed to be of common concern, join the all-India constitution in the confident belief that this association with British India will be worked for common benefit· that each party will receive broad justice from the other and that there will be utter absence of mutual nagging and carping criticism.

It is natural that when dealing with a question of such magnitude, Your Highnesses should have some anxiety. Personally, I am convinced that, with the necessary guarantees secured, an all-India federation will be entirely to our advantage. Even the House of Lords has endorsed the policy of an All-India Federation and, as the Crown has interests in India, it is not to be supposed it will sanction a constitution which would imperil its own interests and those of its friends and allies."

The MAHARAJA OF PATIALA emphasised the need for stable elements both in British India and Indian States joining to make a success of the Federation, but he said, one of the necessary conditions, was that the Crown must be capable of discharging its obligations to the Princes under the treaties. He appealed to the public and the press to create the right atmosphere.

The MAHARAJA OF ALWAR said, whether Indian States wanted federation or not, when the British Government said they would not give responsibility to the centre unless the States came into the federation, it was up to the States to join and not be made a target of criticism that they stood in the way of British India's advance. Moreover, by the resolution they committed themselves to nothing beyond recall.

The following Princes supported the resolution: Kapurthala, Rewa, Sangli, Sarguja and Korea.

The MAHARAJA OF BIKANER wound up the discussion and assured that nothing had been settled about the proportion of representation and that, as paramountcy was on its way to a reasonable and equitable settlement, the task of the Princes entering the federation should be facilitated. He was sure that they all felt proud to make a contribution to the glory of the Empire.

EXAMINATION OF CLAIMS OF PRINCES

The decisions arrived at Delhi created considerable doubts and speculations among the Princes, specially those who were not represented on the Chamber of Princes. His Highness the Maharaja of Patiala, with the sup-

port of the Ruler of Jhalawar, suggested to the Chancellor of the Chamber of Princes that the safeguards and provisions approved by the Princes as a condition precedent to their joining the All-India Federation should be officially placed in the hands of the Viceroy for communication to His Majesty's Government and that negotiations should be opened early on those lines with the British Indian representatives so that all might know the conditions on which the Princes provisionally agreed to support an All-India Federation, subject to a completed picture and the draft Bill being acceptable to them. They proposed that an official communication regarding the Delhi decisions be sent by the Chancellor to all the States to apprise them of the position and to eleminate all unnecessary misunderstandings. They further suggested that the examination of the pending claims of certain States for full membership of the Chamber of Princes might be expedited, so that their position might be cleared before the question of Federal representation was settled.

PRINCES' MEETINGS IN BOMBAY

Accordingly, with a view to afford an opportunity to the Princes who could not attend the last session of the Chamber of Princes to discuss the scheme in all its bearings a further series of informal meetings were convened early in May in Bombay. Enlightening the States as to the implications of the decision arrived at in Delhi was also the object of the meetings. The Indian States Delegation to the Round Table Conference also met in Bombay at that time (May 9, 10 and 11), the object of the meetings being to consider the question of giving a mandate to the Princes' delegation at the Round Table Conference and various other matters relating to Indian constitution. Discussions were also made regarding various questions that were likely to come up for consideration before the Consultative Committee.

Joint Statement of Jaipur, Jodhpur and Udaipur States

The following statement was made at the meetings on behalf of the States of Udaipur, Jaipur and Jodhpur to define the views of their Highnesses in regard to the resolution passed at the informal meeting on 27th March to the effect that a fifty-fifty representation in the legislature was to be regarded as a sine qua non before the States would agree to enter the federation. The statement ran as follows:—

"Although we consider a unicameral legislature undoubtedly would be the best in the interests of the States provided a fifty-fifty representation therein were secured to them, we nevertheless recognise that this may not prove to be practicable, and in that event we are prepared to agree to a bicameral legislature. We certainly consider that the States ought to be given a fifty-fifty representation in the Upper House of the bicameral legislature but would not necessarily refuse to enter the federation if we failed to secure this proportion provided that representation did not fall below a minimum of eighty seats for the Indian States to 120 for British India. As regards the Lower House, we consider that it would be satisfactory if a thirty-three and one-third per cent. representation were given to Indian States. We consider that a small house proposed by the R. T. C. have their advantages but would suggest the Upper House being somewhat enlarged to provide further representation for the smaller States. In either case, however, we consider it essential that the more important States should be given to greater representation than the smaller States in the Upper House and that representation in the Lower House should be based on population. It is apparent, from the discussions that have taken place, that it is not possible for the States to arrive at a unanimous agreement on the allocation of seats inter se and we consider that in the circumstances the only possible solution is to leave this matter to be settled by an impartial committee appointed by the Crown, whose decision we would be prepared to accept. Our entry in the federation on these lines would, however, still be contingent on safeguards and guarantees as finally drafted for inclusion in the constitution being found adequate."

OFFICIAL STATEMENT ON PROCEEDINGS OF THE MEETINGS

The following official statement issued by the Secretary to His Highness the Chancellor of the Chamber of Princes summarised the proceedings of the meetings:—

The meetings of the Princes and Ministers, which had been continuously held in Bombay since May 6, concluded on May 12 with another meeting of the Princes Standing Committee. The total number of States represented was over forty.

Contrary to what has been suggested in certain quarters the discussions held in Bombay revealed that there was no desire, much less any proposal, on the part of anyone to go back on the Delhi decisions; on the other hand there was a keen desire on the part of the States to secure a strong and yet larger adherence to the plan of federation as accepted at the informal Conference.

For the preservation and safety of the States and the maintenance intact of their sovereignty and internal autonomy it has all along been held that the two essential factors now outstanding, which are of the utmost importance to the States, and which will clearly prove to be the determining factors in the decision of the great majority of the States about entering the Federation, are:—

(1) the essential safeguards and adequate guarantees and assurances to be given by the Crown by means of supplementary Treaties, and stressed by Conventions, and due provisions in the Federal Constitution itself in regard to constitutional and political and fiscal and financial matters, including matters relating to the Federal Court.

(2) the representation of the States in the Federal Legislature, with particular reference to the allocation of seats amongst the States inter se.

The united sense of the meeting was that the safeguards and guarantees proposed in Delhi were adequate.

Question of Seats

As regards representation, it was strongly felt that eighty seats for the Upper Federal Chamber, recommended in the report of the Federal Structure Committee, would, in no sense, be found sufficient in view of the importance of the States as a body and for the purpose of providing their due and adequate representation, for which purpose the meeting fully endorsed the demand put forward by the majority of the Indian States Delegation for 125 seats being reserved for the States.

Representation of Smaller States

With still greater emphasis, insistence and unanimity, which was not confined only to the small States but also included several important States, the Bombay meeting supported the decision arrived at by Their Highnesses in Delhi for equal individual representation in the Upper Federal House, i.e., one vote for each State which is a Member of the Chamber of Princes in its own right and such additional States as may be found qualified under the existing tests for admission to such membership; leaving a sufficient margin for the collective representation of the other States and lesser units of Indian States territories which are not members of the Chamber.

This subject occupied the greater part of the time and attention of the Conference in Bombay. Plural representation did not find favour amongst the members present.

Opposition To Classification

Whilst it was realised that there must necessarily be degrees of importance, the Bombay discussions revealed strong opposition to, and resentment at, certain attempts to make distinctions and to derogate from the Sovereignty and detract from the dignity and status and the relative importance of the States by classifying them as important, medium, smaller and smallest States.

Commenting on the proceedings of the informal meetings of the Princes, the "Bombay Chronicle" wrote:—

Though the Princes have not precisely stated their demands in an authoritative manner, it is an open secret that they are trying to have it both ways, to part with little or no power and to get as much additional power as possible; to surrender little or no sovereignty to the Federal State and to demand a dominant position in the Federal Legislature, about 50 per cent. representation in the Upper Chamber and about 40 per cent. in the Lower. As regards their powers of internal administration, too, while they say nothing of the constitutional rights of the States people, they wish to perpetuate their autocracy by buttressing old treaties that have grown rickety, with a fresh constitution recognising their undisputed and full internal sovereignty.

Unicameral vs. Bicameral Federal Legislature

His Highness the Ruler of Bhopal, the late Chancellor of the Chamber of Princes, had already officially contradicted the incorrect and unauthorised report after the last session of the Chamber of Princes in Delhi to the effect that the Princes had appointed an "ad hoc" Committee to go into the question of a unicameral versus bicameral Federal Legislature. Although, in view of some States favouring a unicameral Legislature, this question was left open in Delhi for decision at a later stage, i.e., when the Scheme in its final shape came up before the Princes, the views expressed in Bombay revealed yet larger adherence than at Delhi to the proposed bicameral legislature.

Extent of Adhesion

An interesting discussion also took place as to what minimum extent must the adherence of Indian States be secured in order to justify the initiation of a Federal Constitution. The figure of 51 per cent. of the population of the entire States advocated in London by one or two Ministers was, as was stated in the Sankey Committee, not acceptable since it would mean acceptance only by first eight States according to population, plus, any other single State with a population of about a million. This, it was held, could not be taken as a full representation or sufficient or effective participation of the States, and that too at a reasonably early date, which was one of the basic conditions underlying the new Constitution.

After considering various alternatives, as it was no less important to satisfy, and, as emphasised in paragraph 24 of the last Sankey Report, " so far as may prove possible, the claims of the small States, than to provide adequate representation of those which cover large areas," a formula was put forward, which found general favour, viz., that adhesion should be secured of over 51 per cent. of the States who are members of the Chamber of Princes in their own right and whose population is over 51 per cent. of the aggregate population of the Indian States. This question will be taken up further by His Highness the Chancellor and the Standing Committee, as also the Indian States Delegation at the right time.

VIEWS OF SMALLER STATES

The opinion of the smaller States, who are not permanent members of the Chamber of Princes, on the Bombay deliberations was voiced by the Raja of Sarila who represented the smallest states on the Round Table Conference. He regretted that, on the question of representation of the States in the Federal Legislature, the views expressed at the meeting conflicted with those of some of the biggest States, as also of those that were not permanent members of the Chamber of Princes. He further said:

The attitude of the latter class of States has all along been opposed to the adoption of membership of the Chamber of Princes as a criterion for the representation of any State in the Federal Legislature. The idea of equal individual representation of the States which are permanent members of the Chamber can not reasonably be expected to find favour either with those States which are as large as some of the British Indian provinces or with those others, which, though not permanent members of the Chamber, are much larger, and no less important, than many States enjoying permanent membership.

DISTRIBUTION OF SEATS

Sir Mirza Ismail, the Dewan of Mysore and delegate to the Round Table Conference, thought that, considering the conflicting interests of the States varying greatly in size and importance, the search for an agreed solution of the distribution of seats among the States in the legislatures was foredoomed to failure. In his opinion, the easiest and simplest way was to refer the matter to an independent and impartial committee as the Indian States Inquiry Committee.

COMMUNAL PROBLEMS

HINDU-MOSLEM COMMUNAL TANGLE

THE communal problem overshadowed Indian politics during the quarter ended June, 1932. The long-delayed communal award of the Premier encouraged the exaggerated assertion of communalism in the hope that greater concessions might be won.

The All-India Moslem Conference, held at Lahore on March 21 and 22, 1932 under the chairmanship of Sir Muhammad Iqbal, passed a number of resolutions reiterating the various Muslim demands, already adumbrated and embodying fresh ones in the shape of not less than 33½ per cent share in the All-India services and statutory governing bodies and not less than 50 per cent share in the commissioned and non-commissioned ranks of the army. The Conference also decided to withhold co-operation from the Round Table Committees if Government's decision satisfying Muslim demands were not forthcoming by June 3, 1932.

HINDU M. L. A'S. MANIFESTO

Following the Conference, 46 Hindu members of the Central Legislature held a meeting on March 31, 1932 in New Delhi to discuss the situation arising out of the Lahore resolutions and issued the following manifesto:—

Fresh Moslem Demands

The communal problem, already sufficiently complex, has been made still more complicated and practically impossible of solution by agreement on account of the fresh developments arising out of the All-Parties Moslem Conference held the other day at Lahore. It is now openly preached that they have no faith in Nationalism and that sentiments of patriotism do not count.

Moslem communalism has now reached the climax. Their demands are now expanded and the full list now includes separate electorates, separate representation, statutory majority, preferential weightage, special representation in all branches of the public services, Imperial, provincial, local and in railways, 50 per cent of Army officers and reserved representation even in all statutory self-governing bodies and in local bodies and reservation of seats in public and aided schools. There is also now a new proposal to enforce these demands by non-co-operation and direct action.

Conflict of Hindu and Moslem Views

Moslems have from the start adhered to their fourteen points and have been adding to them, instead of yielding any point for the sake of compromise. Their standing description of Hindus is that they are the majority community and, of themselves, that they are the minority community, needing all protection. Yet all over Northern India, from Karachi to Delhi, they are in the majority and so also in Bengal. They complain that the Hindu majority are not considerate towards the Moslem minority and yet where they are in the majority, as in the Punjab and in Bengal, they insist upon securing that majority by statute; where they are in a minority, they claim weightage and favoured representation, while they deny the same to Sikhs and other minorities. And they now intend to extend this communalism from the Legislature to the administration and public services and even to local bodies, the Army and railways.

Hindu Points of View

What, in these circumstances, should be the position of the Hindus and, indeed, of all nationalist Indians? Hindus stand for pure and genuine democracy, undefiled by

devices of communal electorates and representation for which there is no precedent or parallel in any civilized State in the world.

Besides, separate representation will also involve the very difficult question of the quantum of such representation to be given to each community. The question will arise: How will it be determined? Obviously, justice demands that the contributions of a community to the coffers of the State should be the determining factor. And, further, India has been promised by Parliament the immediate grant of responsible Government and, therefore, no system of franchise is admissible which is incompatible with the constitution promised, viz., grouping of voters on non-civic principles in separate water-tight or community-tight compartments as the Prime Minister has aptly called them. Communal electorates and representation will give to India only a form of communal government and tyranny and not a democratic or Dominion constitution which she has been striving and suffering to achieve and England is pledged to grant.

Nationalist India holds the Prime Minister to his famous speech of January, 1931, in the House of Commons, where he emphatically condemned communal electorates and all its offshoots. Similarly it holds the British Government and the Government of India to the minorities' guarantee treaties by which they are already bound as members of the League of Nations.

We, therefore, hope that the Government of India and His Majesty's Government will not ignore these international instruments of public peace, the minorities' guarantee treaties and stipulations of the League of Nations providing the only solution which is consistent and compatible with the constitution that India is out to achieve and England is pledged to grant."

PUNJAB HINDU SABHA'S MANIFESTO

The Punjab Hindu Sabha issued the following manifesto on April 23, 1932:—

Opposition to Statutory Majority

The Hindu community of the Punjab has been viewing with alarm the campaign launched by the Muslim leaders of the Punjab for the purpose of securing for the Muslims a statutory majority which means that in the Punjab and Bengal legitimate weightage to other minorities may be denied. In their latest manifesto, the Muslim leaders of the Punjab say that it is "more than ever impossible for Muslims to accept any constitutional arrangement" which "deprives them of the essential safeguard of an absolute Muslim majority in the Punjab and Bengal." Each Province has its own majorities and minorities. Safeguard for majorities is an unreasonable demand, unheard of in any part of the civilised world and unknown to any democratic constitution. The position claimed by the Muslim leaders is one of weightage and favoured representation for the Muslim wherever they are in a majority and also at the centre, but denial of the same weightage to other minorities in the Punjab and Bengal. When they demand weightage for their own Muslim minorities, how in the name of common sense, logic and fairness the authors of the Muslim manifesto can insist at the same time on "an assured majority" by statute for their community in Bengal and the Punjab passes one's understanding.

The characterisation of the correct and just attitude adopted by the Hindu and the Sikh representatives at the R. T. C. as "queer", "verbal jugglery," etc. clearly indicates that the exponents of the amazing doctrine of statutory majority lack argument, fair play and reason, and hope to gain their object by vehement misrepresentation. The Hindus and the Sikhs are accused of having given "all sorts of threats" to the Government. This is, of course, untrue. The Hindus are entirely on the defensive. Threats and intimidations have emanated only from the Muslims who have taken the offensive. They say they will non-co-operate with the Legislatures if the majority community in the Punjab and Bengal is denied a statutory majority by withholding legitimate weightage to other minorities which is a constitutional absurdity. We sincerely trust that His Majesty's Government will not depart from the spirit of the Prime Minister's speech in the House of Commons in January last year in which he condemned communal electorates. Any yielding by His Majesty's Government to the preposterous demands of the Punjab and Bengal Muslims will meet with the united opposition of large sections of the Hindu and the Sikh communities which have not identified themselves either with the Congress or with the civil disobedience movement. We sincerely hope and trust that His Majesty's Government will not estrange the Hindus and the Sikhs.

Resolutions

The following resolutions were passed by the Hindu Sabha:—

1. In view of the threats issued by the Muslims of the Punjab in conferences and manifestos that they will non-co-operate with any and every constitution which will not grant them a statutory majority in the provincial legislature, this meeting of the Punjab

Hindu Sabha desires to inform His Majesty's Government that any yielding under such threats to the Muslim demands will prevent a just and fair treatment of minorities and will, therefore, meet with the opposition of the Hindus and the Sikhs.

2. This meeting is further of opinion that no constitution will be acceptable to the Hindu community which reduces its existing representation in the Provincial Legislatures

3. This meeting places on record that it is opposed to the grant of provincial autonomy without simultaneous central responsibility and is of opinion that the question of residuary control being vested at the centre or in the provinces should be decided in accordance with the best canons of administration.

4. This meeting re-affirms the faith of the Hindu community that communalism should not be introduced in the services or other spheres of administration. Such a course not only perpetuates divisions but is harmful to the efficiency of the services.

5. This meeting appoints the following seven representatives of the Hindu community to seek an interview with His Highness and the Prime Minister of Kashmir and place before them the case of the Hindu minorities who have suffered during and since the last Muslim rebellion in Kashmir:—Dr. Moonje; R. B. Ram Saran Dass, C.I.E., Dewan Bahadur Raja Narendra Nath, M.L.C., Bhai Parmanand, M.L.A.; Mr. Ranga Iyer, M.L.A.; R. B. Sewak Ram, M.L.C; and Mr. M. L. Puri, M.L.C.

BENGAL HINDUS ON MOSLEM DEMANDS

The following manifesto signed by many members of the Bengal Legislative Council, Bengal members in the Assembly and prominent members of the Provincial Hindu Sabha was issued on April 24, 1932:—

The Claims

It is much to be regretted that communal differences could not be composed in India and a solution is to be found by the British Cabinet. It is probably in view of this that the Moslem communalists have recently stiffened their demands which now include not only separate electorates and separate representation and preferential weightage but statutory majorities in Bengal and the Punjab, where they form the majority of the population; special representation in the Public services, Imperial, Provincial, Local and Railways; 50 per cent. of the army officers; reserved representation even in statutory self-governing bodies, such as Municipalities and District and Local Boards; and reservation of seats in public and aided schools.

These demands, if conceded, will mean the negation of democracy and representative government in India. We maintain that the claims of the Bengal Mussalmans are anti-national, selfish and not based on any principles of equity or justice. The claim for a statutory majority in Bengal, if conceded, will keep the Hindus in a perpetual state of inferiority and impotence and really aims at a form of communal government and tyranny. The statutory protection of a majority community is without precedent in any constitution in the world.

Basis of the Claims

The basis of their claims is their alleged political importance, and (in Bengal) their superiority in numbers, and the difficulty which they apprehend they will experience in securing adequate representation without special protection.

Claims for Special Political Importance

We say that the Moslems of Bengal cannot claim any special political importance, as they are of the same race as the Hindus, and, unlike the Moslems of some other provinces, they have never served as soldiers or done anything for the defence of the Empire, while the superiority of the Hindu community in educational qualifications and political fitness, their contribution to the growth of civic and political institutions and the record of their past services to the State in every branch of the administration are too well-known to need recapitulation. The achievements of the Hindu Bengalis stand foremost in the whole of India in the fields of Art, Literature and Science, whereas the Moslem community in Bengal has not so far produced a single name of all-India fame in these fields. Even in the learned professions such as Law, Medicine and Engineering, the performance of this community has been disappointing. Political fitness can not be divorced from the larger intellectual life of the Nation and, in political fitness, the Mussalmans of Bengal are vastly inferior to the Hindus. Even if we leave aside the more responsible offices of the State, it is an admitted fact that, in spite of specially lowered qualifying tests, the Government have found difficulty in recruiting for their ministerial and subordinate services from the Moslem community.

Claims for Superiority in Number

Their claim for a predominant position in the future constitution solely on the ground of their growing numbers will not bear scrutiny. It is a fact that backward communities all over the world increase faster than communities comparatively more advanced, socially, economically and intellectually. The Hindus are no doubt a minority in Bengal, as at present constituted, but we cannot lose sight of the fact that many Bengalee speaking districts with a predominantly Hindu population, now included in the Provinces of Bihar and Assam, must come to Bengal, when the Province is, as it must be, reconstituted on linguistic and ethnical basis. It is also a fact, as disclosed by the census figures, that the Moslem majority is constituted mainly by children and by women who live segregated from the national life behind the Purdah. So far as the adult population is concerned, the Hindus are in a majority. Thus the Hindu minority in Bengal is more artificial than real.

Apprehension of the Moslems Absurd

Their apprehensions of not being able to secure adequate representation in spite of their superiority in numbers is really tantamount to an admission of their political unfitness, and to claim political predominance in the future constitution on the basis of present political backwardness, is illogical and absurd. It is the Hindus of Bengal who have always taken the leading part in the struggle for freedom and now that the priceless privilege of self-government is within our grasp, we cannot permit Mussalman communalists (whose contribution in the national struggle has been negligible) so to maim and deform the scheme of government as to make it unrecognisable as a democratic constitution.

Importance of Joint Electorate

Although a minority community, we do not claim any special privileges or protection. While we fully realise the supreme importance of peace and good-will between the two communities, we are firmly convinced that this peace can never be attained till the vicious system of special electorates, which, in working, has been found to be disastrous to the public peace and to the growth of national solidarity in Bengal, is done away with and replaced by joint and national electorates. If the present communal electorates are continued they will poison the national life of Bengal and divide the two communities into warring camps. A very large section of progressive Mahomedans have already realised this danger and are now in favour of joint electorates. In our opinion a return to joint electorates is a sine qua non to any scheme of political advance, as the grouping of voters in separate water-tight compartments on non-civic principles sins against the cardinal principles of democracy and renders the growth of parliamentary institutions on party lines difficult, if not impossible, of attainment.

Opposition to Statutory Majority

We are, however, with a view to allaying reasonable apprehensions of our Moslem brothers, not opposed to a reservation of seats for either community, but we can never consent to a modification of the existing allocation of seats under the Lucknow Pact (which after full consideration of all conflicting issues received the assert of both the communities) unless separate electorates are abolished. On no consideration, whatsoever, shall we agree to a statutory majority for either community.

Opposed as we are to the continuance of separate electorates for the Provincial Council, we view with alarm the attempt of Moslem communalists to introduce the same vicious principle of communalism into self-governing local bodies and thus throttle the budding life of these institutions to which the stimulus of free emulation for brotherly service to the public has only recently given birth.

Communal Principles in Educational Institutions

While favouring that every just encouragement be given to Moslem Education by special endowments, scholarships etc., we view with alarm and apprehensions the attempt of the Moslem communalists to invade the sacred precincts of learning with their separatist and communal claims, and we are firmly opposed to the adoption of communal principles, in any form, in any educational institutions from the University to the village school.

We conclude by reiterating that while we fully realise the importance of harmonious relations between the two communities for the successful working of the future constitution, we are firmly of opinion that this concord can only be based on equity and justice and ought not to be purchased by conceding dominance to one community over the other, thus spelling disaster to the nation as a whole.

The Signatories

The following were the signatories to the manifesto:—

Ramananda Chatterjee; Hirendra Nath Datta; Nilratan Sircar, (M.L.C.); Sris Chandra Nandy, Maharaja of Cossimbazar; Prafulla Nath Tagore, Zemindar; N. K. Basu, M.L.C.; J. N.. Gupta, M.L.C.; B. C. Chatterjee, M.L.C.; Shyama Prasad Mukherjee, M.L.C.; S. M. Bose, M.L.C.; B. K. Basu, M.C.S.; C. C. Biswas, M.L.A.; Satyendra Nath Sen, M.L.A.; Kumar Sarat Kumar Roy, M.L.C.; N. C. Sen-Gupta, M.L.C.; Satyendra Nath Roy, M.L.C.; Jitendra Lal Banerjee, M.L.C.; P. Banerjee, M.L.C.; Haridhan Datta, M.L.C.; Gokul Chandra Bural, M.L.C.; Kishori Mohan Choudhury, M.L.C.; Sarat Chandra Mitra, M.L.C.; Kshetra Mohan Roy, M.L.C.; Jitendra Nath Roy, M.L.C.; Akshaya Kumar Sen, M.L.C.; Amarendra Nath Pal Choudhury, Zemindar; R. Maiti, M.L.C.; Sarat Chandra Mukherjee, M.L.C.; Suklal Nag, M.L.C.; Munindra Debrai Mahasai, M.L.C.; Hanuman Prasad Poddar, M.L.C.; Prafulla Kumar Guha, M.L.C.; Satish Chandra Roy Choudhury, M.L.C.; Jogendra Nath Choudhury, M.L.C.; Amulya Ratan Ghosh, M.L.C.; Haribansa Roy, M.L.C.; Padamraj Jain.

REPLY TO MOSLEM CRITICS

The issue of the manifesto was resented in Moslem quarters. The 'Mussalman' thought that it was calculated to cause estrangement of feeling between Hindus and Mussalmans. Mr. A. K. Fazlul Huq took offence at the strong opposition made in the manifesto to the creation of a statutory majority for the Muslims in Bengal. Messrs. Nuruddin Ahmed and Shamsuddin Ahmed also joined in the protest. A reply to the Muslim criticism was given by Mr. Ramananda Chatterjee, a prominent signatory to the manifesto. Some extracts from the reply follow:—

Mr. Chatterjee's Reply

I regret that it should have been necessary to issue the manifesto. But it was issued neither thoughtlessly, nor owing to an exuberance of communal feeling, nor to cause estrangement of feeling, but, as was stated in the manifesto itself, because, in view of the expected solution of the communal problem by the British cabinet, "the Moslem communalists have recently stiffened their demands" and it was felt necessary that the Hindu view should be known at this juncture. The Muslim journal says that "the Muslim demands referred to in the Hindu manifesto are not the demands of the entire Muslim community." The signatories to the manifesto were aware of this fact, as their above-quoted words ("the Moslem communalists have stiffened their demands") show; they nowhere say that the Muslim demands they have criticized have emanated from the entire Muhammadan community; on the contrary, the manifesto plainly states: "A very large section of progressive Mahomedans have already realised this danger and are now in favour of joint electorates.."

Lowered Qualifying Tests For Appointments

'The Mussalman' "challenges the signatories to the manifesto to prove the assertion": "Even if we leave aside the more responsible offices of the State, it is an admitted fact that in spite of specially lowered qualifying tests the Government have found difficulty in recruiting for their ministerial and subordinate services from the Moslem community."

This "assertion" has two parts, namely, lowering of qualifying tests for Moslems and difficulty in recruiting officers from the Muhammadan community in spite of such lowering.

As in competitive examinations for some branches of the public service, it is the usual rule and practice to select some candidates for appointment from the Muslim and other "minority communities" who occupy lower places in order of merit than those who succeed in getting appointments by sheer ability, the Muslim and other "minority community" candidates thus often superseding the just claims of unsuccessful Hindu competitors higher in the list in order of merit, the fact that qualifying tests are thus practically lowered in order to recruit Muslim officers cannot be denied. That Muhammadans want this sort of lowering of qualifying tests to be continued is proved by the resolution, passed at the Lucknow Nationalist Muslim Conference under the presidency of Sir Ali Imam in April 1931, demanding "that all appointments shall be made by the Public Service Commission according to the minimum standard of efficiency," as also by that portion of Dr. Ansari's Bengal Nationalist Muslim Conference presidential address at Faridpur in June 1931 which demanded "that all appointments shall be made by a Public Service Commission according to a minimum standard of efficiency."

Difficulties in Recruitment

As for the statement that difficulties are sometimes felt in obtaining recruits for some services from the Muhammadan community, I need only refer to the answer given

by Sir James Crerar in the Legislative Assembly on the 23rd March last to starred question No. 910 asked by Mr. Muhammad Anwar-ul-Azin.

Sir James Crerar is an unconscious humourist of no mean order. In order to evade the charge of favouritism, he would not admit that the qualifying mark was reduced for the benefit of Muslim candidates, but he admitted that the Commission went far down the list in search of them, though not right down to the bottom ! What he denied was tweedledum and what he admitted was tweedledee !

It is to be noted that posts in Government of India establishments are open to Muslim candidates from all parts of India.

It would not be impossible to multiply instances of special favour shown to Muslims. I will conclude this part of my observations by inviting the attention of "The Mussalman" to the following paragraph from the annual progress report on Forest Administration in the Presidency of Bengal for the year 1929-30.

Twenty-two Muhammadan candidates were offered posts in the subordinate and ministerial services, of whom only 16 accepted appointments. Of these two only are still in service. Of the rest, one left without notice, 7 resigned and the services of 6 were dispensed with for unsatisfactory work."

There is no such paragraph regarding non-Muhammadan candidates.

Intellectual Inferiority

The Muslim journal next observes:

"Attempts have been made in the manifesto to show that the Mussalmans are intellectually inferior to the Hindus and therefore they are unfit to carry on any administration."

I do not find in the manifesto any attempt to show that the Musalmans have an inherently inferior intellect. What it claims is "the superiority of the Hindu community in educational qualifications" and that the Hindus are "comparatively more advanced intellectually." That is mainly because the Muslim community has not taken as much advantage of modern educational facilities as the Hindus, and not because of the innate intellectual inferiority of the Muhammadans.

There is nowhere any attempt in the manifesto to show that the Musalmans "are unfit to carry on any administration." The Muslim journal also states "that the manifesto has indirectly cast aspersions on the Muslim employees of the Government and thus on the whole Muslim community." How the manifesto has done this, I cannot understand, as the manifesto nowhere even mentions "the Muslim employees of the Government."

"As to who were predominant in the administration in Bengal when Persian was the court language," is quite an irrelevant question, as the manifesto is concerned with present conditions and has nowhere said that the Muslims always were and will be backward.

Minority and Majority

"The Mussalman" devotes a paragraph to the question of the character and extent of the Muslim majority in Bengal (as that province is at present constituted).

The manifesto admits that "the Hindus are no doubt a minority in Bengal, as at present constituted," but states that if all the Bengali-speaking areas with a predominantly Hindu population, which naturally form part of Bengal and formerly formed part of the Bengal Presidency, were included in Bengal as they ought to be, the Hindus or the non-Moslems would be in the majority in this province, and that thus "the Hindu minority in Bengal is more artificial than real." This "The Mussalman" does not dispute, nor does it dispute the fact that "the Moslem majority as constituted mainly by children and by women who live segregated from the national life behind the purdah." What it objects to and calls a "misstatement" is the statement that "so far as the adult population is concerned, the Hindus are in a majority."

It is necessary to state that in the manifesto those persons have been taken to be adults who have completed 21 years of their lives or are above that age, on the tacit grounds that for political purposes the age of enfranchisement has been fixed at 21, that for the purpose of elections to local bodies the voting age has been fixed at 21, and that if a guardian be appointed by a Court or if an estate be taken charge of by the Court of Wards, 21 is taken to be the age of majority.

Census Figures

It is the "crude figures" of the Census Reports, as they are called in the Reports, that have been generally taken for calculating the number of the adult population. But these figures are inaccurate. The Census Report of Bengal for 1921, drawn up by Mr. W. H. Thompson, I.C.S., gives many reasons for considering them unreliable. In this connection he states:

"From what has been said it will readily be appreciated that to use the crude figures for the distribution of the population by annual age periods without adjustment could not but lead to serious error."

His previous observations show that, owing to Muslim backwardness in education in Bengal, the ages stated by Muhammadans are more inaccurate than those given by Hindus. This conclusion is supported by his following further observations in the chapter on Literacy in his Report, page 291:

"It is the return of literacy among Muhammadans that has been mainly respon sible for the phenomenon already noticed that in the whole population the proportion of males who are literate is greater above the age of 20 than between 15 and 20. It is true that the grown-up school boys sometimes found in Eastern Bengal are all Muhammadans, but there is no doubt that it is among Muhammadan cultivators that there has been the greatest exaggeration of the number of adults who are literate." And the Muslim population of Bengal consists largely of cultivators.

The greater inaccuracy of the age returns of Muslims, due to their greater illiteracy is proved also by the following observation of Mr. H. G. W. Meikle, F. F. A., Actuary to the Government of India, in his Report on the Age Distribution and Rates of Mortality deduced from the Indian Census Returns of 1921 and previous enumerations published in 1926 by the Government of India Central Publication Branch, Calcutta:

"It will be seen that generally the rates of misstatement are greater amongst Muhammadans than amongst Hindus,................" page 18.

From the passages quoted above the reader will have percieved that absolute accuracy regarding the numbers of adult Muslims and Hindus in Bengal is impossible to attain. One calculation shows that the adult non-Muslim population of Bengal, even as at present constituted, is greater than the adult Muslim population. The other calculation shows that the adult Muslims are smaller in number than both the adult Hindus and the adult non-Muslims.

Statutory Majority

Mr. Chatterjee then deals with the letters of Muslim critics published in dailies. He says: Mr. A. K. Fazlul Huq writes:

"The manifesto says that any provision like statutory majority is unknown in politics. But in India most things are extraordinary. Violent disorders require violent remedies; and it is but common knowledge that the selfishness with which the majority of the caste Hindus utilize every opportunity to (mis) appropriate everything in contemptuous disregard of the just dues of others, is unparalleled in the history of any race or community in any age or clime. Witness the Calcutta Corporation and Local Bodies in West Bengal, leave alone other instances, too numerous to mention."

Mr. Fazlul Huq admits by implication that "statutory majority is unknown in politics." But he suggests that it is necessary in India, because here "most things are extraordinary," "violent disorders" being one of them. Now, in the past history of many countries and, what is more to the point, in their contemporary history, too, numerous examples of disorders, more violent than even the engineered communal conflicts in India, are to be found. But nowhere has a remedy for them been sought to be found in "statutory majority." Mr. Chatterjee then quotes from Chamber's Encyclopaedia, vol iii, pp. 13—14 to show the treatment which the Jews, the Roman Catholics and the Non-conformists received in England.

Selfishness of "Caste Hindus"

Mr. Huq knows perhaps that declamation is not demonstration. He must prove but has not proved that the present-day "Caste Hindus" are more selfish than the socially privileged classes of other climes, races and ages. But assuming without admitting that his allegation is true, he will not be able to prove that "statutory majority" has been anywhere applied, successfully or unsuccessfully, as its remedy.

Mr. Huq refers to the Calcutta Corporation. Has he not seen Mr. Sanat Kumar Ray Chaudhuri's very well-documented paper on pro-Muslim communalism in the Calcutta Corporation ? The reason perhaps for Mr. Huq's mention of West Bengal Local Bodies and omission of those of East Bengal is that in East Bengal an organised attempt has succeeded in ousting Hindus from them to an extent to which Muslims have not been ousted from West Bengal Local Bodies ! Nor was a similar organised attempt ever made by the Hindus there.

"Muslims—A Suppressed Class"

Mr. Nuruddin Ahmed tries to prove that the Muslims in India are a "suppressed" class. It is true that more than sixty years ago some Anglo-Indians raised the cry that "Muhammadanism must be suppressed." But at present the Muslims are, and have been for more than half a century, a favoured community enjoying special educational

and public service appointment facilities. I have already referred indirectly to the special facilities which Muslims have of entering the public services. Special posts have been created for them in the Education Department, in Bengal, e.g., Assistant Director of Muhammadan Education, and a large percentage (45) of appointments in other departments is reserved for them. They are not debarred from getting more by merit. As regards educational facilities in Bengal, the Muslims are quite as free as the Hindus to avail themselves of the facilities for education which Government and aided institutions offer to all religious communities alike. There are in addition numerous special scholarships for Muslim students. For the 'special' education of Hindus Government spends Rs. 1,11,551, for the special education of Muslims Government spends Rs. 15,88,091, per annum excluding the expenditure on three Islamic Intermediate Colleges, 622 Quran schools, and 6 Muallim schools. For Muhammadan 'Maktabs,' etc., the expenditure in 1929-30 from Government revenues, District or local funds, and Municipal funds was Rs. 7,23,092, Rs. 2,77,766 and Rs. 57,174 respectively; the corresponding figures for the Hindu 'Tols,' etc., being Rs. 67,746, Rs. 37,659, and Rs. 17,543 respectively. A percentage of seats in Government and aided educational institutions, in some cases running up to 60 of 62 per cent. of the total, is reserved for Muslims. There are reservations of free studentships and full or half free boarderships for Muslim students. In the course of a debate in the Bengal Legislative Council on the 29th March last Mr. W. C. Wordsworth said that the Muhammadans "have three divisional inspectorships out of five—two being held by Hindus—and as such they have a greater power of influencing, directing and stimulating education"

Support to Lucknow Pact

Mr. Shamsuddin Ahmed refers to "the unstinted and unqualified support which the signatories (to the Hindu manifesto) have given to the Lucknow Pact." I am afraid he has misunderstood the Hindu attitude towards that Pact. The Hindus want to scrap the whole thing—separate electorates as well as reserved seats. But they cannot agree to the Muslims choosing to keep one part of the Pact, viz., separate electorates, and modifying the other part, namely, the reservation of seats, by increasing their number, even to the extent of more than half of the whole. The Hindus agreed to the Pact as a whole as a makeshift So did the Muslims. If any change is to be made both parties must again agree. The Hindus and the Nationalist Muslims have agreed that there should be joint electorates and no reservation of seats.

BENGAL PRESIDENCY MOSLEM LEAGUE

The annual general meeting of the Bengal Presidency Muslim League held on April 4, 1932 strongly opposed any reservation of seats for a minority community in Bengal. Moulvi Mujibur Rahaman, President of the meeting, declared himself for joint electorate with reservation of seats for the Mussalmans in provinces where they were in a minority and without any reservation of seats for them in provinces to which they were in a majority. As for franchise he was of opinion that adult franchise should be established. He was of the opinion:—

"If, however, adult franchise may not be introduced at once, the qualifications for voters must at any rate be very low. In Bengal the Mussalmans will then be able to hold their own at general elections. There is at present growing consciousness in the Muslim community. In spite of their defects and drawbacks the Mussalmans of to-day are not the Mussalmans of, say 15 years ago. I am in favour of safeguards for minorities. But in Bengal the Mussalmans are in a majority and to ask for a statutory majority of seats for them in the Bengal Legislative Council will not only be unreasonable but will make them depend on an artificial prop that will stand in the way of their being self-reliant and self-dependent. It will retard the growth of manhood in them."

Dr. R. Ahmed, Secretary of the League, liked to be convinced in which way "Muslim interest" was different from "Indian interest." Speaking of the artificial protection given to the North American Indians, the Maoris, the Bushmen of Australia, the speaker said that those people had their safeguards and reservations—but the universal law, survival of the fittest, overtook them; it would also overtake the Muslims of India if they wished to hide and protect themselves under the so-called safeguards and reservations.

The following resolutions were then unanimously adopted:—

Resolved that any statutory reservation of a minority of seats for the Mussalmans in Bengal Legislative Council is under no circumstances acceptable to the Mussalmans of Bengal.

That the B. P. M. League is of the opinion that in the interests of democracy there should be no special constituency and no second Chamber in the local legislature in the Presidency of Bengal.

That in case any such constituency or any second Chamber is created it will be strongly opposed by all Mussalmans of Bengal having the interests of the masses at heart.

That the future electorate for the Bengal Legislative Council should be based on adult franchise and joint electorate and there should be no reservation of seats for the Mussalmans in that council.

The League is of opinion that any reservation of seats for the majority community in Bengal is prejudicial to their own interest inasmuch as dependence on an artificial prop will stand in the way of their being self-reliant and self-dependent and will thus retard the growth of manhood in them.

That in case adult franchise is not established the qualifications of voters should be made so low that about 20 p.c. of the total population may be on the electoral rolls.

Support for the League's Resolutions

The Executive Committee of the Mymensingh District Muslim League unanimously passed a resolution strongly supporting, in its entirety, the resolution passed by the Presidency Muslim League regarding joint electorate and adult franchise as it was of opinion that the resolution truly represented the opinion of the Muslim masses of Bengal, and also that the system of separate electorate had done immense mischief to the Muslim masses of Bengal which could only be redressed by the introduction of joint electorate.

Hindus representing different shades of public opinion in Bengal—Congress, Liberal, Hindu Sabha, Landholders, etc.—endorsed the resolutions favouring adult franchise and joint electorate without any reference to reservation of seats, as constituting the most satisfactory solution of the communal problem for Bengal.

Addressing his co-religionists at Maldah on May 3, 1932, Mr. A. K. Fazlul Huq, M.L.C., said that gradually he was becoming convinced that the Moslems did not require separate electorates or any safeguards. Most of the Moslems of Bengal, he said, were descended from the same stock as the Hindus and as such it was naturally expected that the members of both communities should live side by side in amity and concord.

MOSLEM MANIFESTO FOR THE BRITISH PRESS

The following is the text of a statement which a group of Indian Moslems (not named) prepared for issue to the Press in Great Britain:—

It seems probable that within a comparatively short time hence His Majesty's Government will seriously undertake the task of propounding a settlement of the Indian communal problem. In doing so, the Government will naturally have to be influenced by many complex and important considerations, ranging over the whole vast field of Indian politics and sociology, not concentrating on any local detail or party interest at the cost of a true perspective of the Indian sub-continent.

For this reason we wish to make it clear at the outset that, despite inimical suggestions to the contrary, the well-known Moslem claims are not based solely on local or provincial prejudices or ambitions, but are inspired by the belief that their endorsement and constitutional ratification are essential to the peaceful security of the Moslem community's position in India. Were this not true, our claims regarding the community's rights in the Punjab and Bengal, in the North-West Frontier Province and in Sind, would hardly have received the warm support given them by Moslems in territories as remote therefrom as Madras and the Central Provinces. And we assert most emphatically that the ratification of our claims in the next constitution is necessary also to the peace and, therefore, the general welfare of India, since the neglect of such an opportunity of giving them effect both peaceably and permanently can only introduce an era of suspicion and internecine strife in India at the very time those evils are most to be deplored.

Justice of Claims

We would even suggest that those who have honest doubts of the justice of our claims should consider whether their consciences would not suffer more from their

bequest to India of enduring communal bitterness and strife than from the concession to 70,000,000 Moslems of a position a trifle stronger than that to which they may seem to be entitled by political logic.

That we ourselves cannot thus depreciate our claims must be obvious from a study of the distribution of India's peoples. Our claims particularly concern Bengal, the Punjab, Sind, the Frontier Province and Baluchistan.

In these Provinces the Moslems form the majority of the population, and in Sind, Baluchistan and the N. W. F. Province our majorities are great. But in Bengal and the Punjab there are very strong Hindu minorities. And though there is a considerable Moslem minority in the United Provinces, in all other parts of British India the Hindus are in a vast majority and inevitably enjoy complete political supremacy.

The vast majority of the Indian Princes, moreover, are Hindus, and in Federal India the Princes will be able to influence All-India affairs to an extent now impossible.

We cannot, and will not, begrudge the Hindus such supremacy in places where they are plainly entitled to it and exercise it justly, if they in turn will concede the Moslems similar supremacy where the Moslems are entitled to it. But we must both begrudge and bitterly contest Hindu supremacy anywhere and everywhere in India in the interests of our community at large, if we are denied our rights where those rights are incontestable.

War Services

We could have allowed our claims to rest on these grounds alone had not the Hindus counter-claimed that in all discussion of the rights of the various communities the Hindus' superiority of education and wealth should be given marked consideration. It is news to us that popular constitutions are nowadays based on considerations of accidental intellectuality and wealth and we hardly imagine that such arguments will prevail over the innate common sense of the British public. But lest undue attention be paid to them anywhere we would set against them certain facts of which the Moslems in India are justly proud.

(1) The number of Moslem soldiers serving in the Indian Army exceeds all proportion to the Moslem population of India. During the Great War, the Indian Moslems made handsome response to the King-Emperor's call for troops, and their soldiers fought, under the greatest hardships, against co-religionists having affinities with them no less than against the German forces.

Englishmen have often said that in the War the Punjab was "bled white," and the great majority of the Punjab troops were Moslem. So is the vast majority of the police, Militia and Frontier Constabulary who are charged with the protection of law and order in the North-West Frontier Province and of India's boundaries there and in Baluchistan, where they are constantly exposed to conflict with their kith and kin.

"Congress Despotism"

(2) The Moslems took little part in the Congress campaign of 1930, save in the North-West Frontier Province where the "Red Shirts" were regrettably duped into accepting the Congress banner for a struggle begun independently of Congress, and now ended in the triumph of justice over Congress intrigue. In the present Congress campaign, the Moslems have been openly hostile to the seditionists on more than one occasion, and fewer Moslems than ever before have been overtly sympathetic with their activities.

To claim special consideration on this ground alone might seem to be priggish; but for our own part we assert that the Moslems' abstinence from Congress politics has been inspired not by hopes of gain therefrom—for bitter experience gives us a contrary lesson—but chiefly because they have equally nothing to gain from the substitution of a Hindu Congress despotism for the present regime, and they recognise that Congress politics only spell the economic ruin of India, Hindu and Moslem alike.

(3) Not one of the "political" murders or attempts to murder committed in any of the Governors' Provinces throughout the last two years or more has been done by a Moslem. The three murderers of Mr. Saunders and Channan Singh in Lahore were Hindus. The murderers of Mr. Lowman, Col. Simpson, Mr. Garlick, Mr. Stevens, Mr. Peddie and Mr. Douglas were Hindus. So were the criminals who attempted the lives of the Governors of Bombay, the Punjab and Bengal, Mr. Villiers, Mr. Cassells and Sir Charles Tegart. All the suspects mentioned in connection with the attempt on Lord Irwin's life, the murder of Mr. Peddie and a host of similar crimes have been Hindus. The Chittagong Raiders and Khan Bahadur Ahsanullah's murderer were Hindus.

British Impartiality

A study of political agitation and crime even during the period 1907 to 1917, when Moslem feeling was more than once aroused against the Government, shows that the proportion of Moslems to Hindus notoriously involved was about 1 in 30. Nor can we

recall that a single Moslem newspaper ever ventured a word of sympathy for any of the political murderers of the last two years, whereas the Hindu Congress Press for several months indulged in systematic glorification of every such criminal when he met his deserts.

We recapitulate these well-known facts for the reasons already given, and for one other. We believe that if the alternative to British rule were the ubiquitous supremacy of Hindu rule, the mass of our Moslem brethren would prefer the former not only because of the safeguard offered by its impartiality, but also because under the alternative system there would be heinous strife between the virile and martial Moslem races and those many Hindus in whom the Congress's Left-wing has sown the seed of insidious conspiracy and rebellion, blood-lust and lawlessness. But if it is the purpose of His Majesty's Government to give India federal responsibility with an equitable and just distribution of power and some guarantee of stability, if the determination of the various communities' political rights is a matter of great complexity and delicacy, as we know it to be, and if the British people value the friendship of at least one-fifth of the people of India, then we suggest that when the rival claims of the two great communities are weighed against one another, His Majesty's Government and people should also weigh in the same scales the communities' relative merits of loyalty and stability as proved by the facts of recent Indian history.

The portion of the manifesto (paragraphs 13 and 14) making a strong attack against the Hindu was amended by H. H. the Aga Khan as follows before its publication in the "Times" on June 11:—

It is well-known that Moslems have not participated in acts of political violence which have been so unhappily rife in Bengal, the Punjab and other Governors' provinces. The cult of revolutionary anarchy has never appealed to them successfully nor has the Moslem Press joined the Hindu Congress Press in a systematic glorification of political murderers when they met with the penalty for their crimes.

The original manifesto was however published in Simla.

OPPOSITION TO THE MOSLEM MANIFESTO IN ENGLAND

All-India Jamait-Ulama

The members of the All-India Jamait-Ulama and other Nationalist Mussalmans of India in a joint statement issued on June 29, 1932 characterised the manifesto as a matter of humiliation to all Mussalmans. The statement ran thus:—

"A lengthy statement purporting to be signed by some members of the Muslim Conference and emanating from Simla has recently appeared in the press. Another version of it, amended by His Highness the Aga Khan, appears to have been published in England. We have the former statement before us. The signatories have couched their own views in a language calculated to mislead those who are unacquainted with the realities of the Indian situation in India and abroad, into the false belief that these views are held by all the Musalmans of India. Had these worthies made it clear that they were ventilating their personal views and had they not exposed a majority of the Musalman community to humiliation, we would not have taken the trouble to take any serious notice of their utterances, particularly at a time when the country is passing through a crisis and nearly eighty-five thousand men and women, old and young, educated and uneducated, are in prison. We have been constrained by the extraordinary claims made by these gentlemen to issue this statement to reveal the true state of affairs to save the Indian Musalmans from being lowered in the estimation of foreign nations and particularly the Musalmans of the world.

It is natural that at a time, when far-reaching changes are imminent, India, like other countries of the world, should have groups and parties professing political aims, inhabited as it is by followers of various creeds. But it is possible to classify the various schools of thought, now in existence in India, along political or communal lines, in the following manner:—

1. There are political groups among the Hindus, the Sikhs and the Moslems who lack confidence in their inherent strength and who hesitate to place any trust in the sense of justice and toleration in other communities. These groups are constantly engaged in putting forward their peculiar claims and do not hesitate to adopt unworthy methods of propaganda. They are past-masters of vocal and written propaganda and hope to reach their goal by these devices.

2. The second category, into which certain members of almost every community may be grouped, has for its aim the change of the present system of government by argument, persuasion and negotiation. They certainly stand on a higher level and demand

sympathises with movements for the freedom of the country even when they are launched by those with whom it may not be in agreement as regards the method and manner of their achievement. Followers of this creed are in no way less numerous among the Mussalmans than among the Hindus and the Sikhs. It may, however, be noted that neither of the two above-mentioned groups wield any appreciable influence among the masses.

3. The third school of thought in every community has the fullest confidence in the inherent powers of the people, and their followers form the bulk of the population. Its principles include the following:

(a) Interest of no class or community should be subordinated to the interests of any other and all should have the satisfaction of governing their country.

(b) Every community should have guarantees of protection of its political, religious, economic and cultural rights against every other community and should have assurance of freedom from domination by any community or country including the British, as well as from dependence on any of them.

(c) The federal government should be fully responsible with freedom to determine India's relations with other countries, and the federating Provinces should be fully autonomous, the North-West Frontier Province being placed on the same footing as other Provinces.

(d) There should be a redistribution of Provinces on the principle of self-determination by people bound by ties of common language, culture and economic interests, such as the people of Sind, Orissa and other areas to which the above principle may apply.

(e) The cost of administration should be reduced to the minimum to suit the economic capacity of the country.

(f) The peasants and labourers should have their proportionate share in the government of the country.

The Indian National Congress also stands committed to these principles and counts amongst its adherents followers of this political creed among all communities whom for all intents and purposes it represents.

The Mussalmans belonging to the last mentioned category claim that they have political distinction which is not shared by other communal groups placed in the same position. While a large enough number of them directly belong to the Congress and are consequently committed to the political creed of that body, there are others who, while fully supporting the Indian National Congress, have retained their distinct individuality. The All-India Jamiat-Ulama represents the last mentioned section and, constituted as it is by Moslem theologians, it commands the allegiance of by far the largest bulk of the Moslem population of India, as evidenced by the overwhelming response which it has evoked from Indian Mussalmans from time to time and the latest demonstration of which was made on the 10th of June last throughout India. The Nationalist Moslems, the greatest majority of whom belong to the Congress, count among their adherents an influential section of Moslem intelligentsia. The Jamiat Ulamai Hind, although a distinct organisation, has for its object the achievement of complete independence, which it has practically pursued so far and which does not appear to have been the object of practical realisation for any other distinctly communal organisation in India. In the movement of 1930-31 a large number of the office-bearers and members of both the Jamait Ulamai Hind and the Nationalist Moslem party suffered imprisonment and no less than fourteen thousand Mussalmans went to jail, while some hundreds of them lost their lives. In the present movement also, thousands of Mussalmans have gone to jail, including some four hundred Ulamas, and a very considerable number of Frontier Mussalmans have lost their lives. It is claimed, not without justification, that the bulk of those Mussalmans who have participated in the present movement have done so in response to the call of the Jamiat Ulamai Hind in support of the Congress movement.

This represents as close an analysis of the situation as is consistent with facts and it is hoped that it will help people in India and abroad to form a more just view of the outlook of Indian Mussalmans. We are under no circumstances apprehensive of any aggressiveness on the part of any community under the constitution which we have outlined. In fact we are convinced that justice would be easier of achievement under the new system and it would not be as bad as it is to-day to fight successfully against any injustice.

There now remains to be described but only one other type of men whose desperation, excessive zeal, and a partiality for Western revolutionary methods have led them to acts of violence. But we are aware of no party, political or otherwise, in the country that has not done everything in its power to discourage it. The pulpit and the platform have been extensively availed of in pursuit of restraining influences, and

under these circumstances it is nothing short of deliberate mendacity to saddle the Congress with even the faintest sympathy with or toleration of crimes of violence. Before concluding, we may also observe that it would be an insult to tens of thousands of Frontier Mussalmans to suggest that their participation in the present movement has been the result of any external influences and not of their deliberate decision.

One of the fruitful causes of mutual recrimination has been the failure to evolve a solution of the communal problem. But we take this opportunity of informing those who are unaware of the fact that the Jamiat Ulamai Hind, the Moslem Nationalists and the Indian National Congress had evolved certain formulas which, if pooled together, would have secured the greatest measure of agreement between various parties, but before that object could be achieved, Mahatma Gandhi had suddenly to go to the Round Table Conference and, immediately after his return, he and other leaders of public opinion found themselves behind prison bars and the offensive which was launched against Congress organisations is still in progress. India has so far awaited the much talked of award by the British Government and we wonder if, when it comes, it is likely to satisfy any one.

Finally, we earnestly assure all the communities in India and the people abroad that Indian Mussalmans as a community are next to none in their love of freedom or the will to live peacefully and harmoniously and to stand shoulder to shoulder with other fellow Indians in the task of leading the country to its higest destiny. Self-respect, self-reliance and faith in the progress of humanity are among the articles of their faith and they are convinced that they would serve Islam more faithfully by strict adherence to these principles."

Bengal Presidency Muslim League

The Council of the Bengal Presidency Muslim League strongly condemned the anonymous manifesto and regretted the mendicant attitude taken up therein for "stronger position than the community is entitled to by political logic," such an attitude being against the dignity and self-respect of the Mussalmans and a source of weakness to the community. The Council also regretted that Muslim claims should be based on "Indian Muslims having fought against co-religionists" of Islamic countries "who were their kith and kin."

Hon. Sheikh Kidwai of Gadia

The Hon. Sheikh Kidwai of Gadia, Member of the Council of State, in a statement to the Associated Press on June 15, 1932, regarding the Muslim manifesto said:—

As regards the Muslim manifesto, for the publication of which my esteemed and cherished friend has rather unwisely taken the responsibility upon himself, although he was not the author of it, I can only tell my brothers that stinking sycophancy and servile loyalty are not only grossly un-Islamic, but they can never appeal to a free nation. Slavishness and beggary are looked down with contempt by every respectable people. No nation, no community, can live upon beggary. I claim to be second to none in my love for Islam and Muslims. I have no word of praise for the ultra-communalism—thickly cloaked and camouflaged under nationalism—of the Hindu majority, but I cannot approve of the cowardly inuendoes and attacks in the manifesto which can gain nothing for the Muslims from the British, who are more likely to listen to the commanding calls of Dr. Moonje than to the cringing Muslim manifesto.

OPINIONS OF LEADERS

Maulana Shaukat Ali

Speaking on the Hindu Muslim problem, Maulana Shaukat Ali said in Bombay on May 12, 1932 that the best way to find a lasting solution was that the majority community in a province should concede to the minority what the latter demanded—whether the minority was Hindu or Muslim. It was absurd, in his opinion, for one community to think of wiping out the other now—that could only have been possible by either of them ages ago. Every Indian had to think of the honour of his country—it was God who must be served first and the country came in afterwards.

He further stated: The Muslims were the authors of the move for a joint electorate. His brother and others drafted and presented to the public years ago in

Delhi a memorandum accepting joint electorates. Hindus entered into a pact with Muslims and the Madras Congress ratified it. But a few months later, the Congress and the Hindus threw the pact overboard. If the Muslims insisted now on separate electorates, the fault was not theirs. Ninety-nine per cent. of the Muslims in Bombay were in favour of separate electorates. The Congress was responsible for this demand.

Mr. S. B. Tambe

The Hindu and Nationalist Muslim leaders were in favour of joint-electorate. Mr. S. B. Tambe expressing himself on the problem of communal electorates stated in the course of an interview to the press on May 16, 1932:

If, as I apprehend seriously, communal electorates are continued, the outlook is far from being cheerful. If all communal and class interests are recognised and special representation is provided for them, the legislatures will be more like a zoo where a fixed number of a certain species or a variety has to be kept. Under Responsible Government, the legislatures should be composed of members who can take a broad view of provincial matters. They should be representative of the general public and not of any section thereof. The future Ministry and the party supporting it, as well as the opposition party, should be composed of men and women who think and act on broad national lines with a wide outlook, as opposed to communal or sectional lines.

Unfortunately the communal problem has assumed wide dimensions. When it was a question of settlement with one community, it was solved. The amicable settlement of the claims of several communities has become an impossible task, particularly on account of what is called the Minorities Pact. I do not think it desirable that a decision in the absence of a settlement should be given by His Majesty's Government. India being an original member of the League of Nations along with England, it is open to question whether England can settle the communal dispute which is really an internal matter of India.

Prof. Radha Kumud Mukherji and I agree that the communal question should be left to be settled according to the principles of the Minorities Treaty of the League of Nations. The British, in their desire to placate the Moslems, have ceased to be fair and impartial.

SIKH ATTITUDE ON COMMUNAL QUESTION

Sardar Sant Singh, M.L.A., Sardar Sampuran Singh, a delegate to the Round Table Conference and Sardar Bishan Singh, M.L.C., jointly issued the following statement to the press on April 28, 1932.

A recent manifesto issued by some of the Muslims of the Punjab, under the leadership of Sir Muhammad Iqbal, goes once more to point out the dangers of the communal rule in any country. The signatories to the manifesto give away their whole case when they base their demand for Muslim majority in the Punjab and Bengal on the ground that if such majority is not granted, it will deprive them of the counter-vailing and essential safeguard against an effective and permanent non-Muslim majority at the centre and the other provinces.

The Sikhs stand for pure and simple democracy which would depend upon the will of the people as expressed through the ballot box. If this pure democracy is not acceptable to the political school whose destinies are being guided by Sir Muhammad Iqbal, then the Sikhs are prepared to accept Sir Muhammad Iqbal's plan of weightage which he propounds for his Muslim brethren in the other provinces of India. If the 14 per cent. Mahomedans in U. P. stick to their right of representation to the extent of 30 per cent. in that province, what reason Sir Muhammad Iqbal can advance against the same treatment being meted out to the Sikhs of this Province ?

If the present demand of Muslims be analytically examined, it comes to this that 1 crore and 33 lakhs of Muslims want to rule, for all times to come, 1 crore and 2 lakhs of non-Muslims in the province. We, therefore, humbly point out to Sir Muhammad Iqbal that history knows of no instance where one nation has conferred upon a religious sect the right to rule over his sister communities. If the British Parliament decided to surrender abjectly the best that is in democracy to the clamourings of this small section of reactionaries, it will not tend to inaugurate an era of peace and prosperity in the Punjab. The reactions of such a move will ultimately recoil on its authors.

RAJAH-MOONJEE PACT

The Rajah-Moonje Pact was entered into between Rao Bahadur M. C. Rajah, M.L.A., the President of All-India Depressed Classes Association

on the one hand and Dr. B. S. Moonjee, the President of the Hindu Mahasabha. It agreed upon joint electorate with the Hindus with reservation of seats for the Depressed Classes on the population basis. The advantages of the Pact were explained in a press statement giving an analysis of comparison of the different positions of the depressed classes under the Minorities Pact concluded at London and the Rajah-Moonjee Pact ratified in India.

The statement ran thus:—

The Round Table Conference Minority Pact, being provisions for a settlement of the communal problem, was put forward jointly by Muslims, Depressed Classes, Anglo-Indians, Europeans and an Indian Christian member of the Conference. This pact is based on separate electorates for the communities mentioned above. It contains an annexure which prescribes the number of seats ear-marked for these communities; and, in para 9 of this Pact, it is stated that the Minority communities shall have not less than the proportion set forth in the annexure, reproduced below:—

Legislatures	Strength of Chamber	Depressed Classes' seats	Muslims' seats
CENTRE.			
All-India		19*	21.5*
Upper	200	20	67
Lower	300	45	100
Assam	100	(13.4) 13	(34.8) 35
Bengal	200	(24.7) 35	(54.9) 102
Bihar and Orisa	100	(14.5) 14	(11.3) 25
Bombay	200	(8) 28	(20) 66
Central Provinces	100	(23.7) 20	(4.4) 15
Madras	200	(15.4) 40	(3.7) 14
Punjab	100	(13.5) 10	(56.5) 51
United Provinces	100	(26.4) 20	(14.8) 30

Note:—Figures with * mark indicate percentage of population for India; figures within ( ) brackets indicate percentage of population in the provinces.

Central Legislature

From an analysis of the figures in the above annexures, it is evident that the two depressed classes delegates have done a positive harm to the depressed classes by claiming and accepting seats on behalf of the depressed classes much less than what they would be entitled to on the basis of population. Out of a total of 200 seats, in the Upper Chamber the depressed classes, who form 19 per cent. of the population, should be given 38 seats. Our friends, Dr. Ambedkar and Mr. Srinivasam, were willing to forego 18 seats and claimed only 20 seats.

With reference to the Lower Chamber, out of a total of 300 seats, the depressed classes are entitled on a population basis to 57 seats, but our friends, Dr. Ambedkar and Mr. Srinivasam, gave up 12 seats and claimed only 45. On the other hand, look how well the Muslim community have been served by their representatives. The Muslims, who are entitled, on a population basis, to 64 seats have secured for themselves a full 100 seats.

Provincial Legislatures

With reference to the Provincial Legislatures the Depressed Classes representation, according to the so-called Minority Pact, just approaches the population ratio in Assam, Bihar and Orissa. However, Dr. Ambedkar and Mr. Srinivasam have given up 8 per cent. of the population ratio in Bengal, 4 per cent. of the population ratio in Central Provinces, 3.5 per cent. of the population ratio in the Punjab and 6.4 per cent. of the population ratio in the United Provinces.

Dr. Ambedkar and Mr. Srinivasan claim that they have obtained weightage for the community in Madras and in Bombay, Madras being Mr. Srinivasam's province and Bombay being Dr. Ambedkar's; but they admit that they have not claimed the same weightage as the Muslims have claimed.

Results of Proportionate Representation

Let us now see what result the principle of proportionate representation on the population basis, which is a central point in the Rajah-Moonjee Pact, when applied to the different Provinces, will yield to the Depressed Classes under the scheme of Joint Electorates with Reservation of seats. The following figures speak for themselves.

Legislatures	Strength of Chamber	Seats according to R.T.C. Minority Pact	Seats according to Rajah-Moonjee Pact
CENTRE			
All-India			
Upper	200	20	38
Lower	300	45	57
Assam	100	13	13
Bengal	200	35	49
Bihar and Orissa	100	14	14
Bombay	200	28	16
Central Provinces	100	20	24
Madras	200	40	30
Punjab	100	10	13
United Provinces	100	20	26

Note:—According to Rajah-Moonje Pact the Depressed Classes will have the right to contest, besides the reserved seats, additional seats also, as they have contested and won in the recent elections to the Local Boards in Alandur, Sembiam, Villivakam and other Unions in the Chingleput District of the Madras Presidency.

Status in Future Government

Regarding the status the Depressed Classes will have in the future Government of the country and the share they will have in the administration of the respective provinces, Mr. Rajah states:

The cautiously-worded recommendation of the Round Table Conference Minority Pact on this subject is found in para 7 of the Pact. It reads as follows:—

In the formation of cabinets in the Central Government and Provincial Governments, so far as possible, members belonging to the Mussalman community and other minorities of considerable number shall be included by convention.

That this resolution has not been taken seriously even by the Depressed Classes Delegates at the R T. C. is proved by the very modest disclaimer contained in Mr. Srinivasam's speech at the second session of the R. T. C. on 30th November, 1931. Discussing the question of representation, Mr Srinivasam said: "We may not be able to produce men who will sit on the Treasury Bench or on the Front Opposition Bench. And we do not need to. Our aim is not to run the Government. Our aim is to see that the Government is not run against us."

We have all along been agitating for a seat in the Cabinet and to that extent we have been asking for a statutory provision also to be embodied in the Act. Without our inclusion in the provincial cabinets, especially at a time when provinces are going to be autonomous, our mere sitting in the legislatures to support one party or another in office, to see that the Government is not run against us, will, far from helping our community's interest, as previous experience has shown, expose us to periodical betrayals, against which there is no security.

Separate electorates would have been a kind of safeguard under diarchy in which our representatives, joining with the Government section, might have secured for us what we wanted. But under provincial autonomy our aim should be to secure in a Joint Electorate a sufficiently large number of seats for our community. This can be done by means of Reservation granted to us by a Statute with liberty to contest non-reserved seats and by so organising ourselves as to capture additional seats over and above the Reserved Seats. Our influence in the Councils depends upon the number of votes in our hands and if we are sufficiently strong we can control the policy of the Ministers and even get one or two of our men into the Cabinet. It should also be realised that hereafter the Government will be run on Party lines. That party which has not only the largest number of supporters but also manages to secure the largest number of men returned to the Council on its party ticket will hold the reins of power in the Government. If our men are to become members of the Government, they can do so only by being members of one or other of the parties which contest the seats in the General Constituency, under the system of Joint Electorates. This is impossible in a Separate Electorate, in which

there is no party-ticket but only communal preference or favouritism. Depressed Class men returned through Separate Electorates may form a kind of party, if they remain a compact body, which is not likely since it is a notorious fact that personal feuds and factions soon spring up in a communal party, and this makes joint action on critical occasions too difficult, if not altogether impossible, but anyhow such a party is destined for ever to remain a minority party, not entitled to seats in the Ministry.

A Plea for General Electorate

Under Provincial Autonomy, if we are returned through Separate Electorates, even if we form a compact body, which as I have said is doubtful, we shall always have to play second fiddle to one or another party, and never be an integral party of any party, with an opportunity which will come sooner or later of sharing in the Government of the Province. Under Provincial Autonomy such identification with the party which comes out victorious in a general electorate is absolutely essential, not merely for preventing other communities from doing harm to us, but for constructive work, which will elevate us and place us on a level with the most cultured and influential community in the country.

It is after considering all these things that I have come to the conclusion that we should cast our lot with the general community who, after all that is said and done, hold the reins of power in their hands. With them we sink or rise, and our future lies in identification with them. Our progress is theirs, and their progress is ours.

MINORITIES PACT vs. RAJAH-MOONJEE PACT

Subsequent to the announcement of the Pact, it was hailed by a large section of the depressed classes and the scheme was also supported by the Mahar Youth League, the community to which Dr. Ambedkar belonged.

Considerable controversy continued to rage in the country among the depressed classes regarding the merits and demerits of the Minorities Pact and the Rajah-Moonjee Pact. The supporters of the Minorities Pact grouped together under the leadership of Dr. Ambedkar, while the protagonists of the Rajah-Moonjee Pact acted under the guiding influence of Mr. Rajah. Meetings and counter-meetings were held in support of and opposition to either of the Pacts. Lively deliberations took place and great heat was imparted to the discussions whenever members belonging to the opposite group stood up to speak against the main resolutions of the meeting. Not on a few occasions the tranquility of the meeting was disturbed by acrimonious scuffles resulting in bodily injuries, if not by the actual intrusion into the venue of the meeting of rowdy elements, armed with weapons, bent upon creating trouble and breaking up the meeting.

ALL-INDIA DEPRESSED CLASSES CONGRESS

The most important meeting of the depressed classes held during the quarter ended June 1932, and after the announcement of the Rajah-Moonjee Pact, was the second session of the All-India Depressed Classes Congress, founded last year by Dr. Ambedkar. The main resolution before the Congress was an unstinted support to the London Minorities Pact to which Dr. Ambedkar was a party. Vigorous opposition from the All-India Depressed Classes Association (established about 20 years ago), favouring the Rajah-Moonjee Pact, was apprehended. The Congress after four postponements met on May 7, 1932 at Kamptee under the presidentship of Rai Sahib Muniswami Pillai, M.L.C., from Madras. The All-India Depressed Classes Association as a body did not join the Congress.

First Day of the Congress

Mr. Hardas, the Chairman of the Reception Committee, had barely begun reading his welcome address when Mr. Rajbhoj, delegate from Poona, and his two friends challenged the legality and representative character of the Congress. They were roughly handled by the volunteers and Mr. Rajbhoj had to be taken to hospital. But for these three delegates from outside, the Congress was scrupulously boycotted by the supporters of the Rajah-Moonjee Pact.

Mr. Hardas in his presidential address said that the National Congress was trying to mislead the Depressed Classes and harm their interests, and its sister organisation, the Hindu Mahasabha, had virtually declared war against them. He remarked: "We have to deal with them very cautiously. Joint electorates would amount to the ruination of the depressed classes. We cannot in any circumstances accept joint electorates."

Rai Sahib Muniswami Pillai, President, said that the depressed classes had developed sufficient consciousness to assert their political rights and to feel in terms of nationalism consistent with their safety and security. He paid an eloquent tribute to Dr. Ambedkar for the magnificent manner in which he had presented the case of the depressed classes at the Round Table Conference, adding that Dr. Ambedkar's importance would not be belittled by 'the propaganda against him by the interested section of the Press.' The depressed classes, he asserted, had no faith in Congress leaders. They must have separate electorates and special representation.

Second Day of the Congress

On the second day of the session, the Congress adopted about a dozen resolutions, one of which supported Dr. Ambedkar's Minorities Pact, another repudiated the Rajah-Moonjee Pact while another urged that the depressed classes should have representation on population basis in all local bodies and adequate funds should be set apart in the Central budget for the promotion of higher education among them.

The session was attended by about a dozen men of the Rajah group, who wanted to oppose both these resolutions, but on each occasion there was an uproar and a minor scuffle. The police, however, promptly checked the spread of trouble. Mr. Khandekar and his friends, who wanted to speak against these resolutions were not permitted to do so but were asked to record their votes. They, however, left the pandal before the meeting was over. The conveners of the Congress and Dr. Ambedkar himself attempted to persuade Messrs. Gavai, Thaware, Khandekar, Gorgathe and other leaders of the opposition to come and take part in the Subjects Committee deliberations but their attempts proved futile, the oppositionists maintaining that their organisation namely, the All-India Depressed Classes Association, had not given them the necessary sanction to attend the Kamptee Congress. In view of this non-cooperating attitude, the conveners of the Congress did not give Mr. Khandekar and his friends any opportunity to address the open session. All the resolutions were therefore adopted without any opposition.

All-India Depressed Classes Association's Statement

Commenting on the proceedings of the Congress, Mr. G. A. Gavai, M.L.C., General Secretary of the All-India Depressed Classes Association, issued the following statement to the Press on May 10, 1932:--

The All-India Depressed Classes Association as a body could not and did not join the second Session of the so-called All-India Depressed Classes Congress—a rival body started by Dr. Ambedkar We asserted and still assert that the majority of the Depressed Classes are for the Rajah-Moonjee Pact. The fact that Mr. Khandekar and others were not allowed to address the audience in opposition to the Minorities Pact and in support of the Rajah-Moonjee Pact and that resolutions relating to these were declared to have been passed without being put to vote in spite of lour demands from the delegates for a poll and that several hundred delegates left the pandal in a body by way of protest show that the decision of the Congress does not represent the real opinion of the Depressed Classes.

CONGRESS AND C. D. MOVEMENT

RENEWAL OF CIVIL DISOBEDIENCE

THE campaign of civil disobedience resumed by the All-India Congress Working Committee (now declared illegal) early in January continued its course during the quarter ended June, 1932. The events which precipitated the renewal of the movement before the memorable Delhi Settlement had been barely ten months old are reflected in the following extracts taken from the correspondence which passed between Mahatma Gandhi and the Viceroy.

GANDHIJI'S WIRE TO THE VICEROY

On December 29, 1931 Mahatma Gandhi, the Congress leader and sole representative of the Congress to the second session of the Round Table Conference, wired to H. E. the Viceroy as follows:—

"I was unprepared, on landing yesterday, to find the Frontier and the U. P. Ordinances, shootings in the Frontier and arrests of valued comrades in both, and, on the top, the Bengal Ordinance waiting me. I do not know whether I am to regard these as an indication that friendly relations between us are closed or whether you expect me still to see and receive guidance from you as to the course I am to pursue in advising the Congress. I would esteem a wire in reply."

GOVERNMENT REPLY

The following was the reply from the Private Secretary to the Viceroy dated December 31, 1931:—

"His Excellency desires me to thank you for your telegram of the 29th instant in which you refer to the Bengal, the United Provinces and the N. W. F. Province Ordinances In regard to Bengal, it has been and is necessary for the Government to take all possible measures to prevent dastardly assassinations of their officers and of private citizens.

Co-operation with all Political Parties

His Excellency wishes me to say that he and his Government desire to have friendly relations with all political parties and with all sections of the public, and in particular to securing co-operation from all in the great work of constitutional reforms which they are determined to push forward with the minimum delay. Co-operation, however, must be mutual, and His Excellency and his Government cannot reconcile the activities of the Congress in the United Provinces and the Frontier Province with the spirit of frank co-operation, which the good of India demands.

No-rent Campaign in U. P.

"As regards the United Provinces, you are doubtless aware that while the local Government were engaged in devising means to give all possible relief in the existing situation, the Provincial Congress Committee authorised the no-rent campaign which is now being vigorously pursued by the Congress organisations in that province. This action on the part of the Congress bodies has compelled the Government to take measures to prevent a general state of disorder and spreading of class and communal hatred which the campaign, if continued unchecked, would inevitably involve.

Aggressive Campaign in N. W. F. P.

"In the N. W. F. Province, Abdul Ghaffar Khan, and the bodies he controlled, have continuously engaged in activities against the Government and in fomenting racial hatred. He and his friends have persistently refused all overtures by the Chief Commissioner to secure their co-operation and, in rejecting the declaration of the Prime Minister, have declared in favour of complete independence. Abdul Ghaffar Khan deli-

vered numerous speeches, open to no other construction than an incitement to revolution, and his adherents attempted to stir trouble in tribal areas. The Government refrained from taking special measures until the activities of Abdul Ghaffar Khan and his associates, and, in particular, the open and intensive preparation for an early conflict with the Government, created in the situation such a grave menace to the peace of the province and of tribal areas as to make further delay in action impossible.

No Discussion to be Allowed on Ordinances

"You have yourself been absent from India on the business of the Round Table Conference, and, in the light of the attitude which you have observed there, His Excellency is unwilling to believe that you approve of the recent activities of the Congress in the United Provinces and in the North West Frontier Province. If this is so, he is willing to see you and to give you his views as to the way in which you can best exert your influence to maintain that spirit of co-operation which animated the proceedings of the Round Table Conference, but His Excellency feels bound to emphasise that he will not be prepared to discuss with you any measures, which the Government of India, with the full approval of His Majesty's Government, found it necessary to adopt in Bengal, the United Provinces and the North West Frontier Province. These measures must, in any case, be kept in force until they have served the purpose for which they were imposed, namely, the preservation of Law and Order essential to good Government."

GANDHIJI'S REJOINDER TO VICEROY'S REPLY

The following was Mahatma Gandhi's rejoinder dated January 1, 1932 to His Excellency's reply:—

Demoralising Influence of Ordinances

"I thank His Excellency for the wire in reply to mine of December 29. It grieves me. For His Excellency has rejected in a manner hardly befitting his high position my advance made in the friendliest spirit. I had approached as a seeker wanting light on questions in which I desired to understand the Government version of the very serious and extraordinary measures to which I made reference. Instead of appreciating my advance, His Excellency has rejected it by asking me to repudiate my valued colleagues in advance and telling me that, even if I had become guilty of such dishonourable conduct and sought for an interview, I could not even discuss these matters of vital importance to the nation. In my opinion the constitutional issue dwindles into insignificance in the face of the Ordinances and Acts, which must, if not met with stubborn resistance, end in utter demoralisation of the nation. I hope that no self-respecting Indian will run the risk of killing the national spirit for the doubtful contingency of securing a constitution, to work which no nation with stamina may be left.

Defence for Khan Sahib Abdul Ghaffar

"Let me also point out that as to the Frontier Province your telegram contains a narration of facts which, in the face of them, furnish no warrant for the arrest of popular leaders, passing of extra-legal ordinances, making life and property utterly insecure and shooting unarmed and peaceful crowds for daring to demonstrate against the arrests of their trusted leaders. If Khan Sahib Abdul Ghaffar had asserted his right to complete independence, it was a natural claim, and a claim made with impunity by the Congress in its resolution passed in Lahore in 1929, and by me with energy put before the British Government in London.

'Moreover, let me remind the Viceroy that despite the knowledge on the Government's part that the Congress mandate contained such a claim, I was invited to attend the London Conference as the Congress delegate. Nor am I able to detect in a mere refusal to attend a Durbar an offence warranting summary imprisonment. If Khan Sahib was fomenting racial hatred, it was undoubtedly regrettable. I have his own declarations to the contrary made to me, but, assuming that he did foment racial hatred, he was entitled to an open trial where he could have defended himself against the accusation.

No No-Tax Campaign in U. P.

"Regarding the United Provinces, His Excellency is surely misinformed, because there was no no-rent campaign authorised by the Congress, but, whilst negotiations were proceeding between Government and Congress representatives, the time for collection of rents actually arrived and rents began to be demanded. Congressmen were therefore obliged to advise the tenants to suspend payment pending the result of the negotiations, and Mr. T. K. Sherwani had offered, on behalf of the Congress, to withdraw this advice, if the authorities on their own initiative suspended collections pending the negotiations. I venture to suggest that this is not a matter which can be summarily dismissed as your wire had done. The controversy in the United Provinces is of long-standing and involves the well-being of millions of peasantry known to be economically ground down. Any Government, jealous of the welfare of the masses in its charge, would

welcome the voluntary co-operation of a body like the Congress which admittedly exercises a great influence over the masses and whose one ambition is to serve them faithfully. And let me add that I regard the withholding of payment of taxes as an inalienable, ancient and natural right of people who have exhausted all other means of seeking freedom from an unbearable economic burden.

Legalised Government Terrorism in Bengal

"I must repudiate the suggestion that the Congress has the slightest desire to promote disorder in any shape or form. As to Bengal, Congress is at one with the Government in condemning the assassinations, and should heartily co-operate with Government in measures that may be found necessary to stamp out such crimes. But whilst the Congress would condemn in unmeasured terms the method of terrorism as is portrayed by the Bengal Ordinance and acts done thereunder, it must resist, within the limits of its prescribed creed of non-violence, such measures of legalised Government terrorism.

Co-operation Must be Mutual

"I heartily assent to the proposition laid down in your telegram that co-operation must be mutual. But your telegram leads me irresistibly to the conclusion that His Excellency demands co-operation from the Congress without returning any on behalf of the Government. I can read in no other way his peremptory refusal to discuss these matters which, as I have endeavoured to show, have at least two sides. The popular side I have put as I understand it, but, before committing myself to a definite judgment, I was anxious to understand the other side, that is, the Government side, and then tender my advice to the Congress.

"With reference to the last para of your telegram, I may not repudiate the moral liability for the actions of my colleagues, whether in the Frontier Province or the United Provinces, but I confess that I was quite ignorant of the detailed actions and activities of my colleagues whilst I was absent from India, and it was because it was necessary for me to advise and guide the Working Committee of the Congress, and in order to complete my knowledge, that I sought with an open mind and with the best of intentions an interview with His Excellency and deliberately asked for his guidance. I cannot conceal from His Excellency my opinion that the reply he has condescended to send was hardly a return for my friendly and well-meant approach.

Appeal for Reconsideration of the Situation

"If it is not yet too late, I would ask His Excellency to reconsider his decision and see me as a friend without imposing any conditions whatsoever as to the scope or subject of discussion, and I, on my part can promise that I would study with an open mind all facts that he might put before me. I would unhesitatingly and willingly go to the respective provinces and with the aid of the authorities study both sides of the question, and if I came to the conclusion after such study that the people were in the wrong and that the Working Committee, including myself, were misled as to the correct position and that Government was right, I should have no hesitation whatsoever in making that open confession and guiding the Congress accordingly.

Gandhiji's Limitations

"Along with my desire and willingness to co-operate with the Government, I must place my limitations before His Excellency.

"Non-violence is my absolute creed. I believe that civil disobedience is not only the natural right of the people, especially when they have no effective voice in their own Government, but that it also is an effective substitute for violence or armed rebellion. I can never, therefore, deny my creed. In pursuance thereof and on the strength of the uncontradicted reports, supported by the recent activities of the Government of India, to the effect that there may be no other opportunity for me to guide the public, the Working Committee accepted my advice and passed a resolution tentatively sketching a plan of civil disobedience. I am sending herewith the text of the resolution.* If His

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* RESOLUTIONS OF THE ALL-INDIA CONGRESS COMMITTEE

The following were the resolutions passed by the All-India Congress Working Committee on January 1, 1932:—

Situation in the Country

"The Working Committee has heard Mahatma Gandhi's account of his visit to the West and considered the situation created by the extraordinary Ordinances promulgated in Bengal, the United Provinces and the Frontier Province and by the actions of authorities including numerous arrests made, among these of Khan Abdul Gaffar Khan, Mr. Sherwani and Pandit Jawaharlal, and by shootings in the Frontier Province of innocent men resulting in many deaths and many more being injured. The Working

Excellency thinks it worth while to see me, the operation of the resolution will be suspended pending our discussion, in the hope that it may result in the resolution being finally given up.

"I admit that the correspondence between His Excellency and myself is of such grave importance as not to brook delay in publication. I am therefore sending my telegram, your reply, this rejoinder, and the Working Committee resolution for publication."

Committee has also seen the telegram from the Viceroy in reply to the telegram sent by Mahatma Gandhi to him.

"No Justification for Ordinances"

"The Working Committee is of opinion that these several acts and others of lesser gravity that had taken place in some other provinces and the telegram from His Excellency seem to make further co-operation with the Government on the part of the Congress utterly impossible, unless the Government policy is changed; these acts and the telegram betray no intention on the part of the bureaucracy to hand over the power to the people and are calculated to demoralise the nation. They also betray want of faith in the Congress from which co-operation is expected by the Government.

"The Working Committee yields to no one in its abhorrence of terrorism on any account whatsoever, whether resorted to by individuals, such as recently witnessed in Bengal, but it condemns with equal force the terrorism practised by Government as evinced by its recent acts and Ordinances.

"The Working Committee marks a deep national humiliation over the assassination committed by two girls in Comilla and is firmly convinced that such crime does great harm to the nation, especially, when, through its greatest political mouthpiece, the Congress, it is pledged to non-violence for achieving Swaraj.

"But the Working Committee can see no justification whatsoever for the Bengal Ordinance, which seeks to punish the whole people for the crime of a few. The real remedy lies in dealing with the known cause that prompts such crimes. If the Bengal Ordinance has no justification for its existence, Ordinances in U. P. and the Frontier Province have still less. The Working Committee is of opinion that in the arrest and imprisonment of Mr. Sherwani and Pandit Jawaharlal Nehru, who were proceeding to Bombay to confer with Mahatma Gandhi, it has gone even beyond the limits contemplated by the Ordinance in that there was no question whatsoever of these gentlemen taking part in Bombay in the no-tax campaign in the United Provinces.

Shootings in the Frontier

"The Working Committee considers, on Government's own showing, that there appears to be no warrant for either the promulgation of the Ordinance or the arrest and imprisonment without trial of Khan Abdul Ghaffar Khan and his co-workers.

"The Committee regards the shooting in the province a wanton and inhuman act and congratulates the men of the Frontier upon their courage and endurance and the Committee has no doubt that if the Frontier people retain the non-violent spirit despite grave provocations, they would materially advance the cause of India's independence.

"The Committee calls upon the Government of India to institute a public, impartial enquiry into the events leading to the Ordinances and the necessity of superseding the ordinary courts of law and legislative machinery and the necessity of several acts committed thereunder and thereafter. If a proper enquiry is set up and all facilities given to the Committee for the production of evidence, it will be prepared to assist the enquiry by leading evidence before it.

Conditions for Co-operation with Government

"The Committee regards the Premier's declaration as wholly unsatisfactory and inadequate and, in the terms of the Congress demands, opines that nothing short of complete independence, carrying full control of defence, external affairs and finance with such safeguards as may be demonstrably necessary in the interest of the nation, can be regarded by the Congress as satisfactory. The Committee notes that the British Government was not prepared to regard the Congress at the Round Table Conference as entitled to speak on behalf of the nation as a whole. At the same time, the Committee recognises with sorrow that communal harmony could not be attained at the said Conference. The Committee invites the nation, therefore, to make ceaseless efforts to demonstrate the capacity of the Congress to represent the nation as a whole and promote an atmosphere that would make the constitution, framed purely on a national basis, acceptable to the various communities composing the nation. Meanwhile, the Committee is prepared to render co-operation to Government, provided the Viceroy reconsiders his Thursday's telegram to Mahatma Gandhi, adequate relief is granted in respect of the Ordinances, and its recent acts, a free scope is left to the Congress in any future negotiations and consultations to prosecute the Congress claim for complete

VICEROY'S SECOND REPLY

The Private Secretary to the Viceroy sent the following telegram dated January 2, 1932 to Mahatma Gandhi informing that interview under the threat of civil disobedience was out of the question:—

"His Excellency desires me to acknowledge the recipt of your telegram of the 1st January, which has been considered by him and his Government. They much regret to observe that under your advice the Working Committee of the Congress has passed resolutions, which involve the general revival of Civil Disobedience, unless certain conditions are satisfied, which are stated in your telegram and the resolutions. They regard this attitude as the more deplorable in view of the declared intention of His Majesty's Government and the Government of India to expedite the policy of constitutional reform, contained in the Prime Minister's statement. No Government, consistent with the discharge of their responsibility, can be subject to conditions sought to be imposed under the menace of an unlawful action by any political organisation, nor can the Government of India accept the position, implied in your telegram, that their policy should be dependent, on the judgment of yourself as to the necessity of measures, which Government have taken after the most careful and thorough consideration of the facts and after all other possible remedies had been exhausted.

"His Excellency and his Government can hardly believe that you, or the Working Committee, contemplate that His Excellency can invite you, with the hope of any advantage, to an interview, held under the threat of the resumption of Civil Disobedience. They must hold you and the Congress responsible for all consequences, that may ensue from the action, which the Congress have announced their intention of taking and to meet which Government will take all necessary measures."

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independence and administration of the country is carried on with popular representatives pending the attainment of such independence.

Termination of Delhi Pact

"In the absence of any satisfactory response from Government in the terms of the foregoing paragraph, the Working Committee will regard it as an indication on the part of the Government that it has reduced to nullity the Delhi Pact

Resumption of Civil Disobedience

"In the event of a satisfactory response not forthcoming, the Committee calls upon the nation to resume Civil Disobedience under the following conditions and illustrative heads:—

"No province or district or 'tehsil' or village is bound to take up Civil Disobedience, unless the people thereof understand the non-violent nature of the struggle with all its implications and are ready to undergo suffering involving loss of life and property. Non-violence must be observed in thought, work and deed, in the face of the gravest provocation.

"Social boycott with the intention of inflicting injury on Government officers, police or anti-nationalists should not be undertaken as it is wholly inconsistent with the spirit of non-violence. It should be borne in mind that non-violent campaigns are independent of pecuniary assistance and therefore there should be no hired volunteers, (but their bare maintenance may be arranged). The maintenance of dependants of poor men and women who might have been imprisoned or killed is permissible wherever it is possible.

"Boycott of all foreign cloth, whether British or of other countries, is obligatory, under all circumstances. All Congressmen and women are expected to use handspun and handwoven Khaddar to the exclusion of even all cloth manufactured in indigenous mills.

"Picketing of liquor shops and foreign cloth shops should be vigorously conducted, chiefly by women, but always so as to ensure perfect non-violence.

"Unlicensed manufacture and collection of salt should be resumed. If processions and demonstrations are organised, only those should join them who will stand lathi charges or bullets without moving from their respective places. Even in a non-violent war, the boycott of goods manufactured by an oppressor is perfectly lawful inasmuch as it is never the duty of the victim to promote or retain commercial relations with the oppressor. Therefore the boycott of British goods and British concerns should be resumed and vigorously prosecuted.

"The civil breach of non-moral laws and of laws and orders injurious to the people—wherever it is considered possible and advisable—may be practised. All important orders issued under the Ordinances may civilly be disobeyed."

GANDHIJI'S THIRD WIRE

Mahatma Gandhi replied as follows to the Viceroy's telegram repudiating all charges of threat.

"Thanks for your wire. I cannot help expressing deep regret for the decision of His Excellency and his Government. Surely, it is wrong to describe an honest expression of opinion as a threat. May I remind the Government that the Delhi negotiations were opened and carried on whilst Civil Disobedience was on and that when the Pact was made, civil resistance was not given up but only discontinued. This position was reasserted and accepted by His Excellency and his Government in Simla last year prior to my departure for London. Although I had made it clear that under certain circumstances the Congress might have to resume Civil Disobedience, the Government did not break off the negotiations. That it was made clear by the Government that Civil Disobedience carried with it the penalty for disobedience merely proves what the civil resisters bargain for, but does not in any way affect my argument. Had the Government resented the attitude, it was open to them not to send me to London. On the contrary, my departure had His Excellency's blessings.

"Nor is it fair or correct to suggest that I have ever advanced the claim that any policy of the Government should be dependent on my judgment. But I do submit that any popular and constitutional government would always welcome and sympathetically consider the suggestions made by public bodies and their representatives and assist them with all available information about their Acts or Ordinances of which public opinion may disapprove.

"I claim that my messages have no other meaning that what is suggested in the last paragraph. Time alone will show whose position was justified. Meanwhile, I wish to assure the Government that every endeavour will be made on the part of the Congress to carry on the struggle without malice and in a strictly non-violent manner. It was hardly necessary to remind me that the Congress and I, its humble representative, are responsible for all the correspondences of our actions."

GOVERNMENT STATEMENT ON THE SITUATION

A statement issued from New Delhi on January 4, 1932 by the Government placed before the public the issues raised by the intention of the Congress to launch a general campaign of civil disobedience. After describing the march of events leading to the Delhi Settlement of March 5, 1931, the statement referred to an organised attempt to utilise the Settlement as a means of preparation for a further conflict and of adding to the prestige of the Congress by securing a position of privilege not enjoyed by any other organisation or by members of the general public. Continuing, the statement says:—

Government's Assurances

His Majesty's Government and Parliament were committed to a scheme of constitutional Reform which had been accepted as reasonable by the great majority of the delegates to the Round Table Conference They had further given an undertaking that they would make every effort to overcome as quickly as possible the practical difficulties in the way of its immediate realisation and in pursuance of this they had set up the machinery by which some of those difficulties can be solved. The Government of India were pledged to assist and expedite the work by all means in their power. Mr. Gandhi had given no clear indication of whether he or the Congress whom he represented were willing to co-operate in the fulfilment of the scheme of His Majesty's Government.

No Co-Operation Possible

In the meantime the Congress had precipitated a conflict with Government in the United Provinces and in the North-West Frontier Province and proposals had been initiated to start a campaign elsewhere for the boycott of British goods and institutions. The main issue before Government was whether Congress were prepared or not to co-operate in further constitutional discussions and it was essential to ascertain their attitude and that of Mr. Gandhi towards this fundamental question. It was plain that there could be no co-operation in any accepted sense of the term so long as activities in the United Provinces and the N. W. F. Province continued. It was also clear that there could be no co-operation under a continuous menace of the renewal of Civil Disobedience. The telegram of Mr. Gandhi of the 1st of January and the resolutions of the Working Committee of Congress passed under his advice have left no doubt on this issue. The Government of India have been asked to accept conditions which would make Mr. Gandhi the arbiter of measures necessary for the maintenance

of law and order and which would leave Congress free to pursue their subversive activities as seemed fit to them. The measure of the co-operation which the Congress would extend in return for the acceptance of these conditions is indicated by the announcement of the Working Committee. They have pronounced the declaration of the Prime Minister to be wholly unsatisfactory and inadequate in terms of the Congress demands and they have demanded that if their co-operation be accepted, free scope be given to them to prosecute their claim to complete independence. There was clearly no alternative left to the Government of India but to reject these demands and to take all measures that were necessary to meet the campaign of civil disobedience.

Mahatma's Creed and Government's Responsibilities

Mr. Gandhi has stated as a part of his creed that civil disobedience is not only the natural right of the people, especially when they have no effective voice in their own Government, but that it is also an effective substitute for violence or armed rebellion. Experience has proved time and again that in this country civil disobedience cannot be carried on without violence and Mr. Gandhi himself has spoken of the sacrifice of a million lives. The civil disobedience as conceived and as practised by the Congress is to paralyse the administration and to inflict the maximum of harm on Government, regardless of the loss it may entail to private individuals. It is opposed to all constitutional principles; if it achieved its object, it would make any form of Government impossible. In using their full resources against it, the Government of India are therefore fighting the battle not only of the present Government but of the Governments of the future. It is particularly incumbent upon them at the present juncture to oppose with their full power a movement which would make constitutional advance impossible. It is their duty to hand over to the new order a working administration and to this end to resist with all their might forces which would create a state of anarchy and chaos. The peaceful progress of India depends on the maintenance of the authority of Government and of respect for the law whatever that Government may be and the present Government of India would fail lamentably in their obligations to their successors if, during a period of transition, they allowed this fundamental principle to go by default, of were content to permit the usurpation of their functions by any political organisation. An issue of hardly less importance is whether a political organisation is to be allowed by lawless means to impose its will on the public, large sections of which deny its authority, and oppose its pretensions. The Government would fail in their duty, were they to countenance the claims of Congress to control and domination or permit them in effect to assume the position of a parallel Government

Issues before the Country

The issues before the country are plain. On the one side, there is a body to which has twice been offered an opportunity, without precedent, of assisting towards the political advancement of the country. It has twice rejected the offer and has twice chosen to follow the path of destruction rather than of constructive effort. It is determined to inflict untold harm on the country in the pursuit of a position of domination which whole classes of the people will not accept. It persists in methods which, if successful, would uproot the foundations of all Government and would render impossible any system of orderly administration now and in the future. On the other side, there is the opportunity of co-operation in the great work of constitutional reform to which His Majesty's Government and Parliament are pledged. The Government of India are equally pledged to press forward the work, and this they will do undeterred by the threats of the Congress. While they will take every measure that is necessary for the suppression of a lawless movement and for the protection of public and private liberty, they will also spare no effort to bring to completion the policy of His Majesty's Government in this task. They appeal for the co-operation of all who have at heart the peace and happiness of the people of India and who, rejecting the methods of revolution, desire to follow its certain goal, the path of constitutional advance.

PROMULGATION OF ORDINANCES

Following the breakdown of the negotiations, the Government of India promulgated four ordinances on January 4, 1932 to cope with the civil disobedience movement and made sweeping arrests of nationalist leaders all over India before they could find time to make any concerted action to lend any impetus to the movement. But despite the stringent measures adopted early in pursuance to the deeply planned provisions of the ordinances of multifarious character, the movement gradually gathered strength as would appear from the following figures of convictions during the first two months of 1932 which were given as: January, 14,800; February,

17,800. The excitement continued unabated in March but the number of arrests was kept down at 6,900 by the Government of India by a change of tactics which avoided arrests so far as possible by dispersing the Congress volunteers.

CONGRESS ACTIVITIES

During the quarter ended June 1932, the supporters of the Congress ideal continued to violate the important provisions of the Ordinances and courted arrest in numbers. The activities of the Congress may broadly be classified under the following heads:—

(1) Leading processions in contravention of police orders and prohibitory notices; (2) Holding public meetings and conferences inspite of bans imposed on them; (3) Picketing of British goods, banks, insurance companies, mints and bullion exchanges; (4) Issuing unauthorised bulletins and cyclostyled leaflets and distributing them among the people; (5) Conducting propaganda for the boycott of posts and telegraphs, railways, trams, etc., etc.; (6) Saluting the national flag in public and hoisting it over civil and criminal courts and public buildings; (7) Withholding of land revenue and chaukidari tax; (8) Attempting to re-occupy Congress offices taken possession of by the police; (9) Violating restraint orders and refusing to be on police parole; (10) Manufacturing salt; and so on.

Besides breaking laws on the above items, which formed the regular feature of the civil disobedience movement during the quarter, the Working Committee of the Congress undertook to organise other campaigns on an All-India basis. The first of these was the celebration of the National Week during April 6 to April 13 in commemoration of the Jallianwalla Bagh Tragedy. The second one to awaken widespread interest was the holding of the Congress session at Delhi in teeth of the severest police opposition. This was followed up by a series of provincial, district and sub-divisional political conferences throughout the length and breadth of the country. Other important events during the quarter under review from the Congress point of view was the raiding of the salt works at Wadala and observing the All-India Prisoners Day.

GOVERNMENT MEASURES

The Government of India was intent upon crushing the civil disobedience movement and applied the Ordinances firmly to thwart the movement.

Orders were promulgated prohibiting meetings and processions; notices were served on prominent national workers subscribing to the Congress creed to refrain from participating or helping the Congress cause in any way; funds belonging to the Congress Committees or other Associations working in furtherance of the Congress cause were forfeited; land was forfeited in cases of failure in paying land revenue, picketers of British goods, banks, mints, railways, posts and telegraphs, etc., were taken into custody, when necessary; distributors of unauthorised pamphlets were arrested; literature likely to broadcast seditious ideas or helping the movement was proscribed and the books forfeited; meetings and processions were dispersed by lathi charges and on some cases fire was opened to disperse the demonstrators; harbourers of congress volunteers were warned and punished; shopkeepers were directed not to close their shops on hartal days according to the dictates of the Congress; Congress associations were banned and Congress offices raided and taken possession of; etc., etc.

The march of events have been so rapid and extended over such a vast area, from one end of the country to the other, that it would be impossible within the space at our command to give the news in a systematic order. It would be however sufficient for our purpose to describe the outstanding events of the quarter instead of dealing with the day-to-day arrests and convictions.

THE 47th CONGRESS SESSION.

An announcement appeared in the press on April 4 that arrangements were being made to hold the 47th session of the Indian National Congress

in Delhi on April 24, instead of at Puri as was originally intended. The district authorities were requested to allot a site for "Congress Nagar" and postal and railway authorities for grant of the usual facilities. In the absence of Pandit Rajendra Prasad, the President-elect, then behind prison bars, Pandit Madan Mohan Malaviya was asked to preside over the session and Pandit Pyarilal Sharma, Advocate of Meerut, was elected chairman of the Reception Committee. Mr. J. N. Sahani and Lala Sankerlal were to act as joint secretaries. It was learnt that Mrs. Sarojini Naidu, the Acting President of the Congress, alone was responsible for deciding to hold the session at Delhi, instead of at Puri, and for nominating Pandit Malaviya as President. Pandit Malaviya accepted the offer as a sacred call which must be obeyed.

SECRETARY ASKS FOR SITE

Mr. Sahani, the General Secretary, in a letter dated April 4, informed Mr. A. H. Layard, District Magistrate that the 47th session of the Congress would be held in Delhi on the 23rd and 24th April, and, on behalf of the Reception Committee, he wanted to use the plot of land situated behind the Hardinge Library for the erection of the Congress Pandal and delegates' camp. In case that place could not be conveniently spared, he suggested the Tis Hazari ground or the open plot near Feroz Shah Kotla or some other site which might serve the requirements of the occasion.

CONGRESS SESSION BANNED

The District Magistrate in reply sent the following communication on April 6:—

"I am instructed by the Chief Commissioner to say that he referred the matter to the Government of India, who have informed him that, as a campaign of civil disobedience is being carried on by the Congress, they are unable to allow the Annual Session of the Congress to be held. In these circumstances there can be no question of placing any land at the disposal of the Congress."

The subsequent events leading to the holding of the Congress session on April 24, 1932 are briefly described below:—

AGENDA BEFORE THE CONGRESS

Despite the prohibitory order, the Reception Committee of the 47th Session of the Congress did not desist. To Mrs. Naidu, the news of the ban on the Delhi session of the Congress did not come as a surprise at all. The Delhi session, she hoped, would be held on the appointed date; and the Government was paying a signal tribute, she said, to the power of the living Congress by putting a ban on it almost before the echoes of the Home Member's statement that the Congress was not an unlawful association had died upon the air. Pandit Madan Mohan Malaviya also hoped that the Congress would be held on the date fixed.

The agenda before the Delhi session was noted in a circular issued by the All-India Congress Committee to the various Congress organisations on March 28, 1932 The circular contained the following:—"Pandit Madan Mohan Malaviya has consented to preside over the deliberations of the Congress, which, under the circumstances, will naturally be very brief. According to the present plans, there will be the presidential speech and three resolutions, namely, (1) reaffirming complete independence as the goal of the Congress; (2) endorsing the resolutions of the last meeting of the Working Committee reviving civil disobedience under certain conditions; and (3) affirming that Mahatma Gandhi is the sole representative and spokesman of the Congress."

RECEPTION COMMITTEE DECLARED UNLAWFUL

The Government continued to watch developments in connection with the ban imposed on the Delhi Congress, and, seeing that the Congressmen were determined to hold a demonstration on an All-India basis, the Government prepared itself not to allow any unlawful activity. The Reception Committee of the Congress was considered to constitute a danger to the public peace. The text of the notification declaring it an unlawful Association (April 9) by the Chief Commissioner of Delhi follows:—

"Whereas the Chief Commissioner of Delhi is of opinion that the Association at present known or described as the Reception Committee of the 47th Indian National Congress has, for its objects, the interference with the administration of law and with the maintenance of law and order and that it constitutes a danger to the public peace, it is hereby declared by the Chief Commissioner, under Section 16 of the Indian Criminal Law Amendment Act 1908 (as amended by the Devolution Act of 1920), that the said Association is an unlawful Association within the meaning of Part II of the said Act."

Following the notification, the police conducted simultaneous searches in the houses of about 12 members of the Committee including Mr. Pyarilal Sharma, Chairman, Lala Sankerlal, Mr. J. N. Sahani, Maulana Abdulla and Lala Hardayal Singh. The office of the Reception Committee was also searched. On 20th April the members of the Reception Committee were served with notices under the Emergency Powers Ordinance. On 21st April the office of the Reception Committee was declared as a notified place as it was used for the purposes of an unlawful Association.

POLICE PRECAUTIONS

As the date of the Congress Sessions drew nigh, elaborate police arrangements were made for vigilance near and about Delhi. The C. I. D. staff was posted to keep a close watch on all passengers coming to Delhi by train, lorry or on foot. Powers were granted under the Emergency Powers Ordinance to the Railway authorities to stop such passengers as they suspected were proceeding to Delhi in connection with the Congress Session. Efforts were also made to arrest delegates from the starting points. The reports of *jathas* and delegates proceeding towards Delhi and thereby courting arrest and detention poured from all quarters. Notices were served upon seven cloth merchants of the city, ordering them to refrain from participating in hartals. A breach of that order rendered one liable to imprisonment which might extend to two years and a fine which might extend to Rs. 2,000 or both.

Mrs. Naidu Served with Notice

On April 20, Mrs. Naidu was served with an order, signed by the Commissioner of Police, Bombay, directing her not to do any act in furtherance of the Civil Disobedience movement and not to leave the city limits without the permission of the Commissioner.

ARREST OF MRS. NAIDU AND PANDIT MALAVIYA

Mrs. Naidu left Bombay by the Frontier Mail on April 22 to attend the Delhi Congress amidst a hearty send off—'to dash straight to prison', as she called it. She was arrested at Bandra. The next morning she was produced before the Chief Presidency Magistrate, Bombay Mrs. Naidu did not take any part in the proceedings. She was sentenced to one year's simple imprisonment under section 21 of the Emergency Powers Ordinance

Pandit Madan Mohan Malaviya, the president designate of the Congress and his party boarded the train at Allahabad, having been unable to catch the train at Benares At Dankour, about 40 miles from Delhi, Pandit Malaviya and his party detrained and motored down to Delhi. They were stopped by the police at the entrance of the Jumna Bridge and were served with notice (April 23) prohibiting their entry into Delhi. That notice the party refused to obey and were therefore taken into custody. They were removed to the Central Jail in a motor lorry.

SUBJECTS COMMITTEE MEETING

In the meanwhile inspite of the greatest police vigilance and inspite of the arrests in important railway stations of delegates on their way to Delhi, a large number of Congressmen found their way into the City. The Subjects Committee of the Congress met on 23rd April and adopted draft resolutions. It was reported that Mrs. Naidu had nominated 40 delegates from different provinces to form the Subjects Committee. Seventeen of these were reported to have been arrested by the Delhi police and the rest met as stated above.

The resolutions adopted were reported to be five in number. These resolutions were circulated among the delegates and their approval was sought for by securing their signatures. It was reported that the resolutions had been unanimously approved by the delegates.

The Congress people explained that the procedure adopted was to suit the peculiar situation prevailing in Delhi, and they claimed that the method was substantially the same as that followed before the Congress constitution was altered. They also claimed that the resolutions were passed, and it only remained for them to be formally moved and passed in the "open session" of the Congress.

CONGRESS DAY AT DELHI

The day opened with apprehensions and by 9 o'clock it became clear that there would be a hartal in the city. Batches of policemen were seen marching from one end of Chandni Chowk to the other, while police, mounted Sowars and armed police in lorries patrolled the town constantly.

Houses of prominent workers were searched and premises were raided in search of delegates. Workers were taken into custody by police, and notices were served restraining the movements of other congress workers. But, despite the huge C. I. D. force at their command, the police seemed to have been unable to find as to where the open session was to be held. They were still making preliminary arrangements and only a small police guard was present at the Clock Tower when the City police force were rudely surprised to find at 9 a.m. a batch of about 150 delegates to the Congress gathering below the Clock Tower in the Chandni Chowk. Seth Ranchoddas Amritlal, a prominent millowner of Ahmedabad, who had been served with a restraint order not to leave his town, was elected president.

One of the delegates then moved the five resolutions already adopted by the Subjects Committee, the most important of them reaffirming the Congress decision to work for Independence. The resolutions among others included: (1) the incarceration of Mahatma Gandhi, (2) arrest of Pandit Madan Mohan Malaviya, the President-designate, (3) the imprisonment of thousands of Indian Congress workers, (4) the Independence resolution adopted at Karachi. The delegates had printed copies of the resolutions in their hands and the text of the resolutions was repeated by all of them. The presidential address of Pandit Pyarilal Sharma, the annual report of the Congress and copies of the Congress resolutions were freely distributed among the assembled people. The session lasted for 10 minutes. The police sub-inspector with ten policemen on duty in Chowk were bewildered for some time and, before they could 'phone for police reinforcements and instructions, the Congress Session was over.

PRESIDENT AND DELEGATES ARRESTED

When the police reinforcements arrived they put the Congress President and delegates under arrest and marched them to the lock-up.

Then for two hours a continuous stream of "delegates" offered themselves for arrest at Chandni Chowk Clock Tower. Akali Sikh Jatha of about 90 persons emerged from Sisgunj Gurudwara in Chandni Chowk and marched towards Clock Tower. They were stopped by the police almost in front of the Central Police Station, arrested and removed to jail.

Similarly, a batch of 13 ladies were arrested at Chandni Chowk. After a brief spell of rest for two hours the "delegates" and volunteers began to pour again into Chandni Chowk and more than 20 processions, between 3 and 7 p.m., were either held up or dispersed by lathi charges. Sjt. Deshbandhu Gupta and Prof. Malkani were among those arrested in the afternoon. In the evening the police made a number of lathi charges to clear the Chandni Chowk of delegates as a result of which about a dozen persons sustained injuries. Right till night individual delegates presented themselves before the Superintendent of Police as "Congress Delegates," but he refused to arrest them saying that no overt act had been performed. Thousands of spectators occupied all the points of vantage in the Chandni Chowk to witness the incidents.

Total arrests from among the delegates in Delhi itself numbered over 800, besides over 300 delegates arrested at the outstations.

According to official estimate the total arrests made so far in connection with the Congress session numbered 630, including 95 arrested on the 18th, 9 on the 21st, 157 on the 23rd, and the 369 arrested till the afternoon of 24th April. The city observed complete hartal but for six shops on which notice had been served to keep open.

SUBSEQUENT RELEASES AND PROSECUTIONS

Most of the delegates arrested were released and the local Government proopsed to launch prosecutions against about thirty persons who participated in the Congress. Pandit Madan Mohan Malaviya, his son Pandit Govind Malaviya and his grandson Sridhar, and two other companions of his, who were arrested on the eve of the Delhi Congress session, were released on May 1.

An important prosecution was that in the case of Seth Ranchhodlal, the President of the Congress Session. He was tried in Ahmedabad on May 21 under Section 21 of the Emergency Powers Ordinance on a charge of breach of the condition of the restraint notice served on him and sentenced to rigorous imprisonment for nine months and to pay a fine of Rs. 5,000, in default six months additional imprisonment.

Seth Ranchhodlal, who declined to take part in the proceedings of the Court, made a statement saying: "With reference to the written undertaking alleged to have been

given by me in the modified notice served upon me, the allegation is groundless. No such undertaking or any undertaking was ever given by me. I request the prosecution to produce the written undertaking if I have given any."

The police attached the motor car belonging to Seth Ranchodlal to recover the fine imposed on him.

PROVINCIAL CONFERENCES

The 25th Emergency Council of Bombay considered it a fitting close to the Delhi programme to hold a demonstration in the shape of a public meeting to endorse the resolutions passed at the 47th session of the Delhi Congress. Consequently, a Congress meeting was convened at Chowpaty on April 25. The President and two members of the Emergency Council accompanied by three volunteers clad in Red Shirts marched to Chowpaty. A crowd of over a thousand people surrounded the President when he commenced reading the resolutions passed at the Delhi Congress. Of course a party of police dispersed the gathering and put a number of persons under arrest. Similar demonstrations were made in Nasik terminating in several arrests. These must have struck the imagination of the members of the All-India Congress Committee, declared unlawful. They found that mass civil disobedience could easily be offered by organising Provincial Conferences all over the country to approve of the resolutions already adopted by the Delhi Session. In a circular letter addressed to the Provincial Congress Committees in early May, the Working Committee of All-India Congress Committee, declared unlawful, asked them to hold Provincial Conferences in their respective areas with the above purpose. The circular, among other things, pointed out that while many or almost all the Provincial Committees have been declared unlawful, Provincial Conferences have not yet been banned and so there would be no difficulty in convening such Conferences.

Following this, political Conferences became the order of the day and the different Provincial Committees called their annual provincial sessions one after another in quick succession. Reports of such Conferences poured in from all quarters of India. An account of the most important of them follows:—

Kerala Provincial Conference

The Kerala Provincial Conference was announced to sit on May 15 in Calicut. The previous night restraint orders were served on the prominent workers prohibiting them for a period of two months from organising or taking part in the Kerala Provincial Conference and in meetings, processions and demonstrations of any kind in furtherance of the said propaganda in the Municipality of Calicut and within an area of 5 miles beyond the Calicut municipal limits. But in spite of strict watch kept by the police, the Conference was held at about 6-15 a.m at Chulipadan fields under the Presidentship of Mr. Samuel Aaron, Chairman, Cannanore Municipal Council. A large number of delegates, numbering more than 300, attended. After the presidential speech was read, six resolutions were passed, five of which were on the lines passed by the Delhi Congress. The last resolution requested the people of Kerala to give their whole-hearted support to the temple entry campaign then going on at Guruvayur. After that was over, 30 volunteers went round the city in a procession, distributing copies of the Presidential Address. The President and other Congressmen were arrested. The total arrests made were 75, including 6 ladies.

C. P. Political Conference

Arrangements were made for the holding of the Mahakoshal, Madyaprant and Berar Political Conference on May 29 in Nagpur. Permission to hold the Session at the Town Hall was granted by the Municipal authorities. On May 28, the Reception Committee of the Conference was declared unlawful and the office of the Reception Committee was "notified" and taken possession of by the police. Houses were searched. Mr. Ghanshyam Singh Gupta, President-elect of the Conference, was detained at Kamptee Cantonment on his way from Drug to Nagpur. Mr. Chhaganlal Barukha, described as Chairman of the Reception Committee, was taken into custody. Parks and public places were closed to the public and a general round-up started early in the day. An

attempt to hold the Provincial Conference was made in the afternoon of May 29 at the Itwari Municipal Garden, the thickest business quarter in the city. Delegates numbering over 100 rushed from all quarters to the meeting place. Thakur Chhedilal, Barrister and ex-M. L. C., who succeeded Mr. G. S. Gupta as President, had hardly read a line of the presidential address, when mounted sowars and police hurried to the spot, prevented him from proceeding further and arrested 88 delegates, 6 of whom were let off being under age. About 120 persons were taken into custody, including 8 women.

Tamil Nadu Conference

The 35th Tamil Nadu Provincial Conference was held at Madura at about 5 a.m. on May 29 under the presidentship of Mr. T. Raghavachariar of Coimbatore. About 250 delegates and 200 visitors attended the Conference inspite of the police attempts to prevent the sitting. The printed presidential address was distributed among those present and was taken as read. The resolutions passed by the Working Committee of the Congress at Bombay were then moved and carried. The proceedings lasted for about five minutes. After the Conference dispersed, some of the Congressmen went in procession through some important streets of the town and dispersed.

Punjab Political Conference

The Punjab Political Conference came off on June 4. As usual the Police took elaborate measures to prevent the sitting. On June 3, two pleaders of Mooltan, who reached Amritsar by the Howrah Express, were arrested under Section 3 of the Emergency Powers Ordinance. Twenty-three persons who reached Amritsar by lorries from different places were also arrested under Section 109 of the Criminal Procedure Code. Principal Ramdev Acharia, said to be the President-elect of the Political Conference, who was served with a notice not to leave Lahore until the night of June 5, was arrested at Jallo, while proceeding to Amritsar. On June 4, twenty persons, including four women were arrested at 5-30 p.m. from Bazar Mai Sewan, where they had come out in a procession. Srimati Hesamdevi of Amritsar who declared herself President of the Punjab Political Conference, read out resolutions of the "Delhi" Congress. The police soon effected arrests and the arrested persons were removed to the Kotwali where also a large number of people had gathered. The whole thing was over in a few minutes.

Andhra Provincial Conference

The 13th Andhra Provincial Conference was held at 5 a.m. in Guntur on June 5 on the road side near the Sri Narasimhaswami temple under the presidentship of Sm. Vedantam Kamaladevi. Printed copies of addresses of the Chairman of the Reception Committee and the President of the Conference, besides the Secretary's report, were distributed to the delegates and were taken as read. The resolutions passed at the Delhi Congress were adopted. The proceedings of the Conference were finished in a short time. The delegates next went in procession and were stopped by a party of police and placed under arrest. The total number of arrests was about 250.

Sind Provincial Conference

The Sind Provincial Conference was held in the morning of June 7 in Khory Garden in Karachi. Mr. G T. Vazirani, Pleader, presided. Nearly 100 delegates from several parts of Sind attended, besides 400 spectators. The proceedings lasted 15 minutes during which opening speeches were made and six resolutions passed. The delegates then paraded the streets in procession and posted volunteers at the gate of the Imperial Bank, also at Grahams Trading Company and Gordhands Market, where they were arrested in successive batches. The number of arrested was 70.

Utkal Provincial Political Conference

The fourth session of the Utkal Provincial Political Conference was held on June 12 at Cuttack under the presidentship of Sj. Priyanath Sarkar. 138 persons were arrested in that connection but most of them were let off.

Gujerat Provincial Conference

The subjects committee of the Gujerat Provincial Conference met on June 12 to draft the resolutions to be moved in the open session. The police got scent of the affair and took the prominent workers into custody. Over 125 men were arrested on the following day in connection with the open session.

Bengal Provincial Conference

The annual session of the Bengal Provincial Political Conference was held in Calcutta on June 16, 1932. It was reported that the delegates assembled at about 11 a.m. in a street by the College Street Market. Some of the delegates, including Sj. Hemanta Kumar Bose, described as the Chairman of the Reception Committee, took their stand on the roof of the College Street Market while others assembled in the street below. They displayed tri-coloured national flags. Sj. Benoy Ghosh of Noakhali hoisted the national flag amidst shouts of political slogans. Sj. Hemanta Kumar Bose read his

'speech' from the roof of the College Street Market, while Dr. Gunendranath Mookherjee, described as the President, read his "address" in the street below. Certain 'resolutions' were also said to have been read and 'carried' The police arrived on the spot, dispersed the crowd by a lathi charge, formed a cordon and arrested eighty-four persons including six ladies described as 'delegates'. Batches of Congress volunteers then came out in processions with tri-colour flags in various parts of the city and courted arrest. An attempt was also made to hold a meeting in the Maidan in the evening.

U. P. Provincial Conference

It was announced that the U. P. Provincial Conference would be held on June 20, 1932. On receipt of the information the Government of the United Provinces declared the Reception Committee of the Conference to be unlawful. Lorry drivers were directed not to carry any person suspected to travel to attend the Conference. Mr. Manoharlal, the Chairman of the Reception Committee, Mr. Malkhan Singh, President-elect of the Conference and about 180 persons were arrested in connection with the holding of the Conference, which the police prevented from being convened.

Assam Provincial Conference

Unlike the Political Conferences in several places in India, the second session of the Assam Provincial Conference was allowed to hold its sitting on June 24, without let or hindrance by the authorities. About 700 delegates attended the Conference. His Holiness the Adhikar Goswami presided over the Conference After his speech, several resolutions were adopted. Two delegates Sjts. Sankar Barooah and Rameswar Chattacharjee, 'dictators' of the Golaghat and Jorhal Congress Committees respectively, were arrested while the proceedings of the meeting were still going on under Section 17 (1) and 17 (2) of the Criminal Law Amendment Act.

DISTRICT CONFERENCES

District conferences, too numerous to mention, were also held in all parts of the country, in contravention of police order, to re-affirm the Delhi resolutions. The modus operandi of all these conferences was essentially the same as that of the Provincial Conferences. The police adopted all precautionary measures to frustrate the Congress attempts to hold the meeting. They closed public parks, suspended vehicular traffic, arrested prominent workers, detained persons suspected of travelling to attend the conference, strengthened police force and, as a last recourse, dispersed the meeting. In some cases the conference was held and the Congressites arrested, while in some others the people were dispersed before the meeting could be held.

A list of district conferences held or proposed to be held with the approximate dates of their session follows:

Agra (May 5), Allahabad (May 24), Noakhali (June 5), Howrah (June 5), S. Kanara (June 5), Jessore (June 5, 6, 7), Contai (June 10), Jalpaiguri (June 12), Dacca (June 13), N. Malabar Women's Conference (June 15), Nadia (June 19), 24-Parganas (June 19), Rajshahi (June 20), Saugor (June 22), Vikrampur (June 24), Mymensingh (June 25), Panchmahal (June 26), Madras (June 26), West Godavary (June 26), Faridpur (June 26), Dohad (June 26), Broach (June 26), Ramnad (June 27), Benares (June 30), Kaira (June 30), etc., etc.

The number of persons arrested in some of these conferences exceeded 1,000 as in Kaira District Political Conference but on most occasions the conference was dispersed and the number of arrests limited. Of the arrested persons again the majority were released.

An untoward event happened in connection with the Nadia District Political Conference which according to the Government version was attended by 3,000 people. The police had to open fire to disperse the meeting as a result of which one was killed and several wounded.

SIGNIFICANCE OF THE CONFERENCE

In course of a statement issued on May 2, 1932, after his release from jail, Pandit Madan Mohan Malaviya said:

The Congress had thrown out a bold challenge to the Government when it decided to hold its 47th session, in Delhi in the circumstances existing in the country. Sir Samuel Hoare and Lord Willingdon's Government have been trying for some time past to persuade the British public and the civilized world generally that the measures adopted by the British Government in India to crush the Congress movement had succeeded. If

their statement were true, one should have expected that few Congressmen would come forward to attend the Congress at Delhi. But the fact that in spite of all the preventive measures taken by the Government about 1,500 delegates managed to reach Delhi and that many more were prevented from going there by the numerous arrests of those who were proceeding to Delhi, shows how deeply the Congress is rooted in the affections of the people and how futile must be the endeavour of even so mighty a Government as the British Government to crush the movement for which this great national organisation stands. It is very much to be hoped that the Government will profit by this experience and instead of persisting in the policy of repression will retrace their steps.

NATIONAL WEEK

Towards the beginning of the quarter under review the Congress leaders concentrated their energy in celebrating the National Week from April 6 to April 13. Attempts were made to carry on an intensive programme, especially of boycott and picketing.

The week was observed in all parts of India, the police dispersing the processions taken out and placing the picketers under arrest. The situation in Allahabad and Cawnpore however was critical. In Allahabad on the evenings of April 8 and April 9, repeated attempts were made in the face of police opposition to lead processions to the Civil Lines and hoist flag on the Clock Tower. On April 8 the police chased the processionists. It was reported that people threw stones and brickbats at the police who were rounding them up. A fracas between the police and crowds took place. A number of persons including Mrs. Motilal Nehru who joined the procession was among the injured. On April 9, a procession started from the city and was stopped by armed police near Parshottamdas Park. The processionists squatting on the ground, the police began to disperse the crowd by force. It was reported that the police were assailed with missiles, as a result of which the police fired a volley. According to official report, thirty shots were fired in all. Two were killed and thirty-six wounded.

In Cawnpore picketing of foreign goods was being conducted for some time with great vigour by the congress volunteers. To cope with the situation, the District Magistrate promulgated an order prohibiting the assemblage of more than five persons in certain areas. On April 7, the boycott campaign being pursued intensively, armed police was despatched to the city who entered shops and arrested customers and shopkeepers as well in the course of dispersing the picketers and processionists.

RAID ON WADALA SALT DEPOT

Congress announced to carry on a mass raid on Wadala Salt Depot on May 15, 1932. Elaborate police arrangements were made to safeguard the salt pans from the threatened Congress raid. Barbed wire entanglements, six feet high, were erected with a deep broad trench running all round the salt pans. The main gates and the approaches were heavily guarded day and night. The city and mounted sentinels were also asked to stand by in readiness for any emergency.

By 9 a.m., the advertised time of the raid, large crowds of people donning white caps baked in the scorching May heat. Some members of the Emergency Council leading a party of raiders crossed the tract, negotiated with the barbed wire but were arrested before picking up salt from the salt heap. Several attempts were then made by small batches of men to "raid" the salt pans but were repulsed by the police.

CONVICTIONS, FINES, FORFEITURE, ETC.

According to an official statement the number of convictions in connection with the civil disobedience movement were:—

January, 1932	14,800	April, 1932	5,200
Feruary, 1932	17,800	May, 1932	3,800
March, 1932	6,900		

The number of prisoners in the jail at the end of April 1932 was 32,524, and that at the end of May and June, 1932 was 31,194 and 29,587 respectively.

Since the inauguration of the civil disobedience movement in the month of January, 1932, 2,450 Congressmen had been arrested in the city of Bombay till May 1, 459 arrests being made in the City in April. In U. P. the total number of convictions up to April 25 was 8,460. In Madras the convictions up to June 17, was 2,226.

A statement issued by Pandit Madan Mohan Malaviya on May 2, however, put the number of convictions at 80,000. He said:

During these four months up to 20th April last, according to the reports published in the press, 66,646 persons, among whom were included 5,325 women and many children, have been arrested, imprisoned and humiliated. This could not possibly include arrests in the far off villages in the interior of the country and, therefore, the Congress estimates the total arrests to be over 80,000 up to that date. The jails are overcrowded, and ordinary prisoners are being released before their time to make room for political prisoners. To this has to be added the number of arrests made during the last ten days, including those of the delegates to the Delhi Congress. According to the reports in the press firing has been resorted to at least in 29 cases with considerable loss of life. There have been lathi charges on unarmed crowds at 325 places. There have been 633 cases of house searches and 102 cases of confiscation of property. A general policy has been pursued of imposing extraordinarily heavy fines on persons who have been convicted in connection with the movement and property far in excess of what was necessary for realising the amount of the fines has been attached and sold The press has been gagged as it had never been gagged before. One hundred and sixty-three cases have been reported where the newspapers and public presses have been regulated by orders for confiscation, demands for security and consequent closing down of the presses, warnings, searches and arrests of editors, printers or keepers. Numerous public meetings and processions of non-violent men and women have been dispersed by lathi charges, and, sometimes, by firing.

PEACE TALKS

The impasse brought about by the political situation in the country moved the heart of Dr. Rabindranath Tagore. It is understood that, in March last, some members of the Fellowship of Reconciliation were on a visit to India when Dr. Rabindranath Tagore gave them the following message which was published in India and England on May 22, 1932:

"From the depth of the present atmosphere of suffering, the cry has come for the inauguration of a new age of faith and reconciliation, for a fellowship of understanding between races and nations alienated by cruel politics and diplomacy. We in India are ready for a fundamental change in our affairs, which will bring harmony and understanding into our relationship with those who have inevitably been brought near to us. We are waiting for a gesture of goodwill from both sides, spontaneous and generous in its faith in humanity, which would create a future of moral Federation, of constructive works of public good, of the inner harmony of peace between the peoples of India and England. The visit of our friends from England has confirmed the immediate possibility of such an intimate fellowship of truth in our mutual relationship and I feel called upon to appeal to all who have the welfare of humanity at heart to come forward, at this critical hour, and courageously take up the task of building upon the bare foundation of faith, of acceptance of truth, in a spirit of generous mutual forgiveness. The memory of the past, however painful it may have been for us all, should never obscure the vision of the future, which it is for us jointly to create. Indeed our experience of the futility of suspicion and hostility must inspire us with a profound belief in the simple fellowship of hearts, in the mighty power of creative understanding between individuals as well as nations, inspired by a common urge of love."

The text of Gandhiji's reply to Dr. Tagore's message was as follows: I do not know that you expect me to say anything now. But this I can say, that I should yield to no one in my desire for conciliation and peace. You may therefore depend on my doing nothing that will prevent them. Consistently with national honour I would do everything that would promote conciliation. More I may not say from behind the prison wall."

The Government position was made clear by the Secretary of State for India during his speech in the House of Commons on April 29 and June 27. (Pp. 173, 181 and 184).

POLITICAL CONFERENCES

ALL-INDIA MOSLEM LEAGUE

THE Council of the All-India Moslem League met in New Delhi on April 29, when twenty members attended. Mr. Zafarulla Khan presided. The following resolutions were adopted:—

Bombay Riots

The Council deplored the Bombay riots, regarding the same "as a fresh instance of Hindu intolerance and high-handedness." The Council appealed to the leaders of both the communities forthwith to adopt and carry into effect measures calculated to restore peace and good understanding between the two communities and appealed to the news agencies and newspapers to work for peace and harmony between the communities, and avoid the publication of matter likely to lead to further excitement and misunderstanding.

Communal Award

The Council strongly urged on the British and Indian Governments the urgent necessity of an immediate decision on the question of the method and quantum of Moslem representation in the future legislatures of the country. Any further delay was bound to lead to very grave consequences, the responsibilities for which must be with those who had so far failed to discharge the duties undertaken by them in this connection.

Bengal Muslim League and Joint Electorates*

The Council, while approving of the resolutions adopted by the Bengal Moslem League on the 3rd April, authorised the Secretary to ascertain and place before the next meeting of the Council the opinion of the leading Moslems and Moslem organisations in Bengal in regard to the views of the Bengal Moslem League urging adult franchise with joint electorate without reservation of seats for Moslems in Bengal.

Other Resolutions

The Council urged upon the Government the desirability of nominating a Moslem to lead the Indian Delegation to the forthcoming session of the Assembly of the League of Nations.

The Council viewed with concern the absence of Moslems from the Bombay Ministry, and urged upon the Government the need for remedying the state of affairs.

The Council decided to authorise the Working Committee of the League to communicate with the All-India Kashmir Committee about the Glancy Report and to take necessary action after ascertaining their views.

The Council endorsed the resolution of the Punjab Branch of the League in the matter of separate electorates, women franchise and the Punjab Municipal Bill, and expressed the opinion that the proposed Bill paved the way for the Federal Assembly to interfere with the provincial affairs of the Punjab

The Council appointed a Committee to bring about an amalgamation with the Moslem Conference and frame proposals for that purpose.

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*The resolution regarding the Bengal Moslem League was criticised by a section of Moslems. Mr. A. H. Ghuznavi, M.L.A., and Sir Abdullah Suhrawardy, M.L.A. opined: "The Council of the League, in view of the grave issues involved and in the absence of Bengal Muslims should not have taken precipitate action and approved of the resolution of the Bengal Muslim League, passed on April 3, without previously ascertaining the opinion of the leading Muslims and Muslim organisations, in Bengal, of standing and influence. The resolution of the Bengal Muslim League, it is well-known, is not truly reflective of Bengal Muslim public opinion. At least it may reflect the views of those who style themselves "Nationalist Muslims" and is based on the assumption that the grant of adult franchise would enable the Bengal Muslims to sweep the elections and result in a triumphant majority for Muslims in Bengal. Apparently it (the resolution of the Bengal Muslim League) shelves the question of joint or separate electorate in the event of His Majesty's Government not being able to grant adult franchise to a province the bulk of whose population is illiterate, backward and intellectually and politically unfit according to the recent Hindu manifesto issued over the signatures of representative Bengal Hindu politicians.

THE WORKING COMMITTEE MEETING

The Working Committee of the All-India Moslem League met in New Delhi on June 13 to consider, among other things, the report of the Sub-Committee appointed to consider the reports of the Federal Finance Committee, the Indian Franchise Committee and the Brayne Committee. The following resolutions were passed.

Distribution of Voting Power

(1) While approving the principle of extending the franchise to the provinces, the Working Committee of the All-India Muslim League is of opinion that the Indian Franchise Committee failed to achieve a proper distribution of voting power between the different sections of the people, the object aimed at by the Committee itself. It was desired by the Simon Commission as well as by the Round Table Conference that the voting registers in the provinces should reflect the Muslim population as compared with the voting registers of other communities. The Franchise Committee's achievement is that the divergence which existed before has been further accentuated, because (1) wives of men who possess property qualification prescribed for the present provincial councils have been enfranchised; (2) specially reduced qualifications have been prescribed for Depressed Classes and thereby their voting strength has been increased. The Working Committee therefore calls attention to the recommendation of the Indian Franchise Committee (at the end of Para 79 on page 36 of the Report) that "As soon as the basis of the new franchise has been approved, instructions should be issued for the preparation of the electoral roll on the qualifications finally accepted. If it is found that the ratio of voters to the population is markedly discrepent in the case of any community, it will be necessary to consider what action, if any, is required in order to rectify the disparity. This information should be made available as early as possible in view of its importance at the next stage when the constituencies will be delimited."

Objection To Special Constituencies

(2) (A) The Working Committee of the All-India Muslim League considers that the creation of special constituencies, separate representation of labour and differential qualifications for women are open to serious objection. In the opinion of the Working Committee women should be treated on an equality with men and no woman should be enfranchised on qualifications of their husbands, a method which is opposed to all canons of all constitutional laws as well as to the opinions expressed by the majority of the women witnesses and women associations.

(B) As regards methods of representation the Working Committee strongly urges that Muslim women should be included in the same category as their men.

(C) The Working Committee of the League further lays stress on the Prime Minister's declaration that "the representation of special interests should not be allowed to affect the balance of power or to encroach to an extent which amounts to stultification of the command percentage."

Need of Contribution on a Uniform Basis

(3) While agreeing with the view that income-tax being a provincial source of revenue, subject to contribution to the Federal Government, the Working Committee regrets its inability to endorse other recommendations contained in the report of the Federal Finance Committee. The Working Committee considers that full financial autonomy of the provinces of British India is essential for the introduction of responsible government in this country. Further, the Committee is of opinion that all units of the Federation should be called upon to contribute on a uniform basis to the Federation and not an equal amount. The Working Committee is of opinion that the Indian States should be made liable to bear the burden of maintenance of the Federal Government to the extent of their representation in the Federation which in no case should exceed the ratio of their population.

Separation Of Sind Demand

(4) The Working Committee considers that all technical objections before the Brayne Sind Conference can be met with satisfactorily and considers that all objections against the separation of Sind are raised merely to deprive Mussalmans of the exercise of their legitimate rights as a majority community in the provinces, and the Mussalmans of India will not be satisfied with a constitution which reduces Muslims into a minority in provinces in which they are a majority.

Moslems in Kashmir Services

(5) (A) While appreciating the services of the Glancy Commission and the solicitude of the Maharaja of Kashmir to redress the grievances of the Mussalmans of the State the Working Committee urges that the share of Mussalmans in the services of

the State must be in the ratio of their population. The Committee is further of opinion that an impartial independent public services commission should be constituted in order to fill up vacancies in the different departments of the State.

(B) The Working Committee is of opinion that in the proposed Legislative Assembly in Kashmir State, the Mussalmans of the State should have their representation in proportion to their population and in no case should their majority be reduced into a minority.

(C) The Working Committee strongly urges that the recommendations in the Glancy Report and other reforms should be applied to and introduced in Poonch State which is a part of the territory of Kashmir and Jammu in the same way and to the same extent as in other parts of the State and urges the immediate necessity of their being enquired into and redressed.

ALL-INDIA MUSLIM CONFERENCE.

The Working Committee of the All-India Muslim Conference met in Simla on June 8 under the presidentship of Dr. Shafaat Ahmad Khan. The agenda included a consideration of the Lothian and Percy Reports.

INDIAN FRANCHISE COMMISSION'S REPORT

The Working Committee, while appreciating the service rendered by the Indian Franchise Committee, considered that a number of recommendations, if carried into effect, would create a segmentation of the Indian electorate to an extent which would render both the Provincial and the Federal Legislatures unworkable.

Special Constituency

The Working Committee is opposed not only to the creation of new but also to the maintenance of the existing constituencies for the special classes enumerated by the Franchise Committee. Should it, however, be considered necessary to maintain some special constituencies in any province, the Working Committee will agree to such special constituencies subject to the following fundamental principles:

(a) Special constituencies should be designed only for a transitional period. After the lapse of this period, all special constituencies should disappear.

(b) As an overwhelming majority of such constituencies are essentially communal in their outlook, working and policy, the Muslims must be given a share in proportion to their representation in all the legislatures. Otherwise, the Muslim proportion in all the legislatures will be violently disturbed.

(c) No special constituencies should be created for Labour. The Committee is convinced that the extension of the franchise proposed by the Indian Franchise Committee is bound to lead to an effective and substantial representation of Labour in all the Legislatures, while the special franchise devised by the Committee for adding to the voting strength of the Depressed Classes would lead to the election of a large number of Depressed Class members who would safeguard the interests of Labour.

Women Franchise

The Committee is opposed to the special franchise suggested for women, both for the provinces and the Centre, as it would dislocate the entire electoral machinery. The method of enfranchising the wives of men-voters recommended by the Committee not only introduces the most objectionable principle of plural votes given to the rich and propertied classes, but also removes for the future all incentive for reform of such laws as prevent the women of India from inheriting property.

Protection of Minor Minorities

While the Committee recognises the need for the protection of all minor minorities, it would like to point out that any scheme regarding the minor minorities which has the effect, direct or indirect, of reducing the Muslim quota in the Provincial and Central Legislatures will be totally unacceptable to it.

Allocation of Seats in Federal Legislature

As regards the allocation of seats in the Federal Legislature among the provinces, proposed by the Federal Structure Sub-Committee, to which the Indian Franchise Committee has given its approval the Working Committee is strongly of the opinion that the number of seats allotted to the Frontier Province and Baluchistan is most unfair and totally unacceptable to it. The Muslim members of the Federal Structure Sub-Committee did not agree to the number of seats allocated to these provinces. The Committee is strongly of the opinion that the Frontier should be allotted four seats in the Upper Chamber and five seats in the Lower Chamber, while Baluchistan should be allotted two seats in the Upper and three in the Lower Chamber of the Federal Legislature.

Size of Lower Federal Chamber

The Working Committee is opposed to the increase in the size of the Lower Federal Chamber as it is of the opinion that it is of the essence of a Federal Legislature that it should be comparatively small in size. The size suggested by the Federal Structure Sub-Committee was the result of a compromise and was determined after a full and thorough debate In the opinion of the Committee, the recommendation of the Federal Structure Sub-Committee should not be disturbed.

In the minority provinces the United Provinces, Bombay, Bihar and Orissa, Assam, Madras and in C. P the existing weightage should be guaranteed in the local Council. In the Punjab and Bengal, Muslim constituencies should be in the majority and should preponderate.

Election of the Muslim Members of the Federal Upper House

The Committee is strongly of the opinion that the Muslim members of the Federal Upper House should be elected only by the Muslim members of their Provincial Legislatures.

Weightage to Indian States

The Working Committee would like to make it clear that it cannot approve the weightage to Indian States in either House of the Federal Legislature It supports the policy of the Muslim delegates in the Federal Structure Sub-Committee, and cannot consent to any other principle of representation of the Indian States, except the principle of population.

PERCY REPORT

The Working Committee of the All-Indian Muslim Conference is strongly of the opinion that the report of the Federal Finance Committee presided over by the Rt. Hon'ble Lord Eustace Percy does not offer a fair and equitable basis of the Federation Scheme The report as a whole is unacceptable to it. It is convinced that a radical modification of some of its important recommendations is essential to the stability and practicability of the new constitution.

Financial Autonomy in the Provinces

The Working Committee places on record its deliberate and considered opinion that the provinces of British India should be invested with complete financial autonomy and unless the burdens are equalised among the units of the Federation and the principle of equity is consistently applied, the Financial structure that may be built up will be thoroughly unsound.

Charge upon Indian States

The Committee is strongly of the opinion that the Indian States that will constitute the units of the Federation should be asked to contribute a share of the expenses incurred in the maintenance of services such as the army and of departments which are designed for the safety, protection and convenience of the Federation as a whole. The Committee is of the opinion that the States should contribute their share to the federal finances in proportion to their population in the form of a federal tax or in the shape of contributions.

Scheme of Contribution from British Indian States

The Working Committee of the Muslim Conference is strongly opposed to the scheme of contributions proposed to be levied by the Federal Government from British Indian units. In its opinion no contributions should be leviable from the British Provinces. The proceeds of income-tax should be placed immediately at the disposal of the provinces after the passing of the new Act.

The Working Committee is also of the opinion that:—

The emergency powers of the Federal Government are too wide and will considerably restrict, abridge and in some cases render illusory the financial autonomy of the provinces:

The Federal Committee has not endorsed the proposal of the Peel Committee that the residuary powers of taxation should rest with the Provinces. In our opinion the principle should be unambiguously laid down in the constitution:

The Federal Finance Committee has given the Federal Government general powers to impose a surcharge for its own purposes on any tax levied by it for the benefit of the units The power thus conferred on the Federal Government is too wide:

The maintenance of internal customs duties among the Indian States is inconsistent with the basic principles of Federation, and incompatible with stability of administration. All internal customs duties, levied on Indian States should be abolished and customs duties in India should be uniform.

The Committee is strongly of the opinion that no Central charge should remain in the budget of the Federal Government, as if the Federal Government assumes res-

ponsibility for the whole of the pre-federation debt, its obligations would be more than covered by the assets taken over by the Federal Government.

The Working Committee is of the opinion that the provinces of British India should be given complete power to borrow in the open market according to their needs and requirements without any control or restriction by the Federal Government, subject to such co-ordination of borrowing by the different units as may be mutually agreed upon between the units and the Centre. The Working Committee is in favour of the proposal for the constitution of a Financial Council containing representatives of the Centre and the Provinces for the purpose of co-ordinating loan programmes and other matters of common concern to the Provinces and the Centre. Such a body will be the co-ordinating body for the purpose, and will possess such powers as may be mutually agreed upon by the members thereof.

The Working Committee is emphatically of the opinion that unless and until the defects complained of above are removed without avoidable delay, the report of the Federal Finance Committee will not only be totally unacceptable to the Muslims of India, but will also prove an unsurmountable obstacle to the establishment of a sound and practicable scheme of Federation

Alwar Riot

The Working Committee strongly protests against the attitude adopted by the Alwar Durbar in completely ignoring the repeated requests of the Secretary of the Committee to allow a deputation to wait upon His Highness the Maharaja of Alwar for the redress of the grievances to which frequent expression has been given by the Muslims of the State and for the removal of which the Alwar Durbar has hitherto taken no steps. The Working Committee is of the opinion that the recent unfortunate occurrences in the State are the direct result of gross neglect by the Durbar of its elementary duty to the Muslim subjects of the State and urges upon the Alwar Durbar the necessity of appointing an impartial committee to investigate the predisposing causes of the present happenings.

Glancy Reports

The Working Committee places on record its dissatisfaction with the personnel of the Committee appointed by the Alwar Durbar and requests the All-India Kashmir Committee to formulate its decisions on the two Glancy Reports without avoidable delay, so that the Muslim Conference might be able to evolve a considered policy regarding Kashmir.

EUROPEAN ASSOCIATION.

CALCUTTA BRANCH

"The time is rapidly passing, in fact has almost passed when Europeans can sit back and air theories on the constitution of India. We are now being brought face to face with the practical issues." Thus declared Mr. E. Villiers, President of the European Association, in an address (on April 20) on the political situation at a farewell tiffin to him by the Calcutta Branch of the European Association on the eve of his departure to England.

Mr Villiers pointed out that the European delegates were justified in adopting the attitude they did at the last Round Table Conference specially as the whole of India was practically realising then that although all the details of the future constitution must be embodied in one Act, the fact remained that Provincial Autonomy must definitely precede any established form of Federation. It was also being more and more recognised that once the new constitution is held out as a complete entity, the great part of India will decide to work it in the best possible manner.

Referring to the Minority Pact or Petition of Rights which he regarded as one of the most important safeguards of the community, he emphasised, that the Europeans must never fail those who were their co-signatories to the Pact.

"Moreover," added Mr. Villiers, "we will always definitely ally ourselves with any group or community which seeks to work the constitution in a proper manner and we give a guarantee that the safeguard to which we attribute so great an importance shall never be used to prevent India from getting the best she possibly can from the working out of the new constitution."

Concluding, Mr. Villiers appealed to the British community to do all it could to help in the present crisis. He maintained that, in future, India, and more particularly Bengal, would depend more than ever before on the help that could be given by non-official Europeans. He believed that the spirit of their forefathers who built the British Empire still existed and was ready to be used. He left India feeling certain that the British in that country would not deny help to the community at a time when it was so badly needed.

BOMBAY BRANCH

The following letter addressed to the Home Department, Government of Bombay by the Bombay Branch of the European Association in October, 1931 was first made public in 'Advance' of May 18, 1932. It offered specific suggestions to combat the civil disobedience movement, in case any attempt for its revival was made by the Congress. Subsequent course of events clearly indicates that these suggestions were given careful consideration in constituting the ordinances promulgated in January, 1932.

Referring to the picketing of some European-managed Indian mills in Sholapur and elsewhere, the Association thought that such activities had no shadow of claim to recognition under the Delhi Pact and requested that the Government would be pleased to demand that picketing should forthwith cease in Sholapur.

Further, the Association emphasised the vital necessity of enforcing such demand, if compliance is not forthcoming. Unless this was to be done, the demand had better not been made. The Association could not accept the view put forward by the Hon'ble Mr G. A. Thomas to the deputation that if the Congress refused to ratify that term of the Delhi Pact, the Government were unable to take action.

The Association made the following specific suggestions on which Government should work in case of renewal of civil disobedience:—

(1) That immediately civil disobedience was declared, Congress should be declared an illegal body, and Congress property and property used for Congress purposes should be confiscated, and at once sold or destroyed.

(2) That flying of the Congress flag, and all kinds of ceremonial connected therewith, should immediately be forbidden.

(3) That similar action should be taken in regard to parading or drilling of volunteers and similar operation of a military nature.

(4) That all those who are known to have been responsible for the organisation or financing of the last civil disobedience movement should be at once brought under control and, if necessary, put under restraint. It is suggested, in fact, that they should be treated in the same fashion as Enemy subjects interned during the war.

(5) That provision should be made to prevent any persons or bodies from deriving financial benefits as a result of political upheaval. Both regulations might be compared with those adopted in the United Kingdom against profiteering during the war. Two specific methods, by which it is suggested that such provision might be made effective, are:—(a) That steps should be taken to stop Congress funds at source, accompanied, if necessary, by an ordinance compelling the production of Banking accounts; (b) That textile mills or other commercial undertakings which have signed agreements with Congress, while that body has not been proscribed as illegal, should be required immediately to withdraw adherence to any compact with Congress on pain of being denied rail transit for their goods. Something of this kind would appear to be vital, one of the terms accepted by at any rate some of these signatories being an undertaking to give Government no assistance in any action which they may take against so-called national activities.

U. P. LIBERAL ASSOCIATION

The Committee of the U. P. Liberal Association passed resolutions on May 24, 1932 urging that the Ordinance regime should be definitely ended with the expiry of the Ordinances and neither new Ordinances should be promulgated nor any Bill introduced in the Legislatures to continue the extraordinary laws.

The Committee opined that the conditions in India did not justify "the facile opinion of the authorities that the Ordinance regime had succeeded" and that the continuance of the Ordinances would create deeper discontent and alienate public opinion still more.

An improvement in the situation could only be possible by the speedy introduction of responsible Government both in the Centre and the Provinces.

The Association characterised the Federal Finance Committee's report as disappointing in the main and unacceptable in British India in several parts and condemned the change in the U. P. Government's excise policy.

KASHMIR AND BHOPAL

KASHMIR GRIEVANCES ENQUIRY COMMISSION

THE Commission appointed for the investigation of complaints and disabilities under which the subjects of the State suffered finished its sittings in the second week of March, 1932. In its report the Commission which was presided over by Mr. Glancy, I.C.S., recommended the restoration of sacred buildings in the possession of the State to communities establishing a claim to them; a fair share of Government appointments for all communities; concessions in land revenue; expansion of primary schools and increase in the number of Muslims in the Education Department. These recommendations were accepted by the Maharaja who passed the following orders on them:—

Restoration Of Sacred Buildings, etc.

The Governors of Jammu and Kashmir will be responsible for seeing that the necessary action is taken.

The Madin Sahib Shrine at Srinagar should be handed over as soon as the representatives of the Muslim community notify their wishes, duly endorsed by the Anjuman Islamia on behalf of the Shia community as to the authority to be given charge thereof; similarly, the area known as the "Idgah ground" at Srinagar should be made over to the Muslim representatives as soon as they provide a written undertaking that the rights enjoyed by the public in regard to grazing, recreation, etc, will be duly respected; the Khanqa Sufi Shah at Jammu and the Bahu Mosque should be restored as soon as practicable to the Muslim community; the Khanqa at Shahdana in the Jammu province should be entrusted to purely Muslim management; all other mosques, temple-precincts, etc., should be treated in accordance with the declared policy of His Highness' Government as soon as detailed information in respect to them is available Where it can be shown that any sacred build ng,etc., has been wrongly transferred by the State to a third party, the property in question should be handed over to the rightful claimant. and such claimant should not be called upon to pay compensation to the party now in possession. If any compensation is decreed by the Civil Court, the State will arrange for the payment thereof.

The Governor of Kashmir should submit a report as to the settlement effected between Hindu and Muslim communities in respect to the Shah Hamdon Mosque and the Maha Kali shrine and should show whether there is any sufficient reason for modifying the settlement in question.

Interference With Religion

Any complaint of interference with the calling of "Azan" should be carefully investigated and where the offence is established it should be quickly suppressed and the offender punished. Any attempt on the part of the police or any other officials or non-officials, to harass those who have changed or intend to change their religion should be sternly discouraged and those responsible should be dealt with severely.

Programme for Expansion of Education

The Education Department should devote its attention to the expansion of primary education. A definite programme should be drawn up, accompanied by a map illustrating the progress already effected and the development contemplated in the course of the next three years. Steps should be taken to increase the number of mullahs. Their unnecessary transfers, as in the case of other teachers, should be avoided. Instruction in Shikasta writing and in the reading of Patwari's papers should form part of the curriculum of primary schools The department should see that the education imparted in village schools is such as to equip the pupils for their normal occupation.

The Department should also draw up a programme in regard to middle and high schools and further expansion in this direction should take place when funds permit. The Governor of Jammu should report whether there is any objection to the allotment

of the Gandoo di Chawani site for the construction of the Islamia High School. Should any such objection exist, an alternative site should be suggested. Care should be taken to see that admission to science classes in school and colleges is impartially regulated so as to cater for the legitimate interests of all communities. Special Mohammedan scholarships should be equated in value with merit scholarships and effect should be given to the Commission's proposals in the matter of free studentships, orphanage scholarships, etc.

The training of teachers should receive attention as recommended, and the question of assisting aided schools in this matter should be given consideration. For teachers in primary schools, a "Middle pass" should be regarded as sufficient qualification.

In the matter of Technical education, action should be taken on the lines indicated in the Commission's report. The question whether a change of management is desirable in regard to the Srinagar Technical Institute should be examined without delay.

The recommendations put forward as regards teacheresses in girls' schools, the medium of instruction and arrangements for 'Purdah' should be carried out. The proportion of Muslims employed as teachers, Inspectors and clerks in the Education Department, Secretariat, should be increased as soon as possible. A Special Inspector for the promotion of Mahommedan education should be appointed and should work independently of Provincial Inspectors. The Commission's proposals in respect to the revision of pay when funds permit, oriental learning, the supply of periodicals and frontier education are approved. The allotment of increased funds for Frontier scholarships should be provided as soon as practicable and Bodhi textbooks should be supplied, where they are required, in Ladakh.

Services

The proposal of the Commission in regard to the minimum qualifications to be required for various classes of appointments are approved, and action will be taken accordingly. As regards the publication of vacancies, the procedure recommended by the Commission should be strictly followed and Ministers and Heads of Departments should make it their business to see that there is no deviation therefrom. In the case of Srinagar and Jammu, notices should be posted up at the Shergarhi Building and at the Mandi Mubarik respectively; notices, for posting in these places, should be sent by Departments concerned to the Governor of Kashmir or Jammu as the case may be. Wazirs and Tehsildars will be in charge of noticeboards at Wazarat and Tehsil headquarters respectively.

Appointments

His Highness is also pleased to approve of the Commission's proposals in respect to powers of appointment. Ministers should send in their recommendations without delay as to the Heads of Departments in whose case the power of appointment should extend to all non-gazetted officers and those in whose case such authority should be limited to posts carrying a salary not exceeding Rs. 100 per month. In the case of the Public Works, Customs and Press Departments, the Departmental Heads should be called on to explain the present unsatisfactory state of affairs and to show cause why the power of appointment should not be withheld and vested in the Ministers concerned.

The submission of sixty monthly returns should continue regularly on the lines indicated by the Commission and a yearly statement giving the composition of all State Departments should be published as recommended.

The procedure in regard to direct appointments should be regulated in accordance with the suggestions put forward by the Commission.

In the matter of local appointments, the recommendations made meet with the full approval of His Highness and should henceforward be adopted. It is clearly in the interests both of good government and of the subjects of the State that local inhabitants should be selected, as far as possible, for such posts as those of Patwaris, Forest Guards, Game Law Watcher etc. Ministers should see that the policy recommended in this matter is fully carried out, and Heads of Departments should be warned that any failure to observe the prescribed procedure relating to appointments in this, or any other respect, will result in the withdrawal of the powers delegated.

Land Revenue

His Highness the Maharaja Bahadur is pleased to approve their recommendation that the recovery of State Malikana should be discontinued throughout the State territories, subject to the conditions which the Commission has proposed. In the matter of Nazarana, the Revenue Minister should put forward his proposals as to the amount to be charged; the charge recommended, should be moderate in all cases. In regard to those tracts in which disturbances have recently occurred, a report should be submitted as soon as possible showing the extent to which normal conditions have supervened: information as to the amount of Land Revenue Arrears outstanding in the case of each of the tracts affected should also be supplied. As soon as it can be shown that in any individual tract of country in which the peace has recently been disturbed, a proper spirit of repentance is apparent, the concession in respect to State Malikana should be

forthwith extended thereto. His Highness fully shares the hope expressed by the Commission that the moment, when disturbed areas can be treated in the same manner as the rest of the State, will not long be deferred. In the case of all persons who can be shown to have assisted the State authorities or afforded protection to the lives or property of those in danger, State Malikana where it is now payable, should be abolished and such persons should be exempted from all 'Nazrana' charges.

Proprietory Rights

His Highness is also graciously pleased to concur in the recommendation that proprietory rights should be conferred in respect to all lands of which the ownership is now held by the State and occupancy rights are enjoyed by private persons. The Revenue Minister should, in the first instance, examine the safeguards suggested by the Commission for the protection of the agricultural classes, and should submit his report accordingly.

In regard to grazing tax, His Highness approves the proposal that the fixed Kahcharai demand should be forthwith suspended in the seven 'tehsils,' namely, Jammu, Samba, Akhnur, Kathua, Jasmergarh, Mirpur and Bhimber, which have been specially mentioned by the Commission in this behalf. The Revenue Minister should propose the name of an officer to be placed on special duty in this connection and to recommend (1) in what parts, if any, of the above 'tehsils' the fixed Kahcharai demand should not be permanently abolished, and (2) what relief is required in other parts of the State in which the Kahcharai demand may be found to press too heavily at present.

Charges imposed in addition to the fixed Kahcharai demand in the case of "Dhars" in the Jammu Province, when such additional charges are not levied in the Kashmir Province should be discontinued. Action should be taken to define the inter-provincial boundary for the purposes of Kahcharai collections. And no Kahcharai payments should be demanded from butchers and other persons when they bring goats and sheep within municipal limits for purposes of slaughter. The Revenue Minister should report whether there is any sufficient reasons for discriminating between different classes of herdsmen in the matter of Kahcharai charges.

Revision Of Commutation Rates

Nautor outstandings in the Mirpur Tehsil now under suspension should be written off. The rules relating to suspensions and remissions of revenue should be strictly and carefully followed on all occasions throughout the State.

The recommendation made by the Commission on complaints received from Frontier districts regarding the periodical revision of commutation rates, the amount of interest to be charged on grain-advances and the limitation of Nautor are approved, and should be carried into effect.

In the matter of trees, no restriction should be imposed on the cutting of walnut trees growing on land held by agriculturists and the assessment imposed on any such tree, should be cancelled when it is removed. In regard to mulberry trees, preference should as far as possible be given to landholders on whose land such trees are standing, when seed is distributed by the Sericulture Department. Power to authorise the cutting of Chenar trees where necessity arises, should be given to Tehsildars. Other minor recommendations made by the Commission in regard to trees are also approved.

Chaks And Jagirs

So far as it relates to Chaks and Jagirs, His Highness is in entire accord with the Commission that, neither in the matter of the due fulfilment of the Raj Tilak boons, nor in any way whatsoever, should the interests of zamindars suffer from the assignment of land to other persons.

The amendments suggested in order to bring the State legislation into conformity in certain respects with the Punjab Land Alienation Act should be examined by the Revenue Minister and his recommendations should be submitted. The development of the Co-operative Credit System and further progress in the matter of consolidation of holdings should receive the special attention of the Minister-in-charge.

Corruption

Every endeavour should be made to put an end to irregular exactions. It is to be hoped that the due delegation of authority will afford more leisure to Ministers and heads of departments to supervise the work of their subordinates. Inspections and supervision should be as careful and constant as possible. All officers should be warned that corrupt practices are not to be tolerated and exemplary punishment should be awarded to any who can be proved to have offended in this respect.

All officers must make it their duty to see that payment is made in full for services rendered. As circumstances permit, the "Ras" system in the Frontier should be replaced by the appointment of contractors. The provision of free supplies should in no case be allowed, and higher officials when they go on tour should investigate any complaints that may be forthcoming.

Forests and Rakhs

The recommendations made for controlling the distribution of timber to villagers should be carried into effect. All Forest Officers should interest themselves in seeing that zaminders and others receive the full benefit of the concessions to which they are entitled. Agriculturists should be afforded every facility for protecting their crops from the depredations of wild animals. The Minister-in-charge should report without delay what steps should be taken to secure such protection. Applications for arms-licenses in this behalf should receive prompt and favourable consideration, where there is no reason to the contrary. Requests for permission to extend cultivation on the borders of Rakhs should be given due consideration.

Public Works

A regular programme for the improvement of communications, as funds permit, should be drawn up, and a map, as suggested by the Commission should be prepared. The Minister-in-Charge should submit a report regarding the provision of a proper water-supply of Chrar Sharif, the protection of villages on the bank of the Chenab from erosion, the prevention of water-logging in the Ranbirsinghpura Tehsil and the repairs of bridges in the Gilgit Wazarat.

Improvements to Srinagar city in the matter of drainage and the widening of streets should continue to receive attention and funds should be allotted for this purpose as circumstances may permit. The provision of a proper approach road to the Muslim cemetery at Jammu should be duly considered

Industries

The Minister-in-Charge should devote his earnest attention to the development of the Textile Industry and the encouragement of fruit growing. Active steps should be taken to combat the disease known as "San Jose Scale" which has for many years been ravaging the orchards of Kashmir. A report should also be submitted regarding the Sericulture Department and the question as to whether a change of management is desirable in Kashmir should be examined without loss of time. In the placing of contracts for supplies, every possible encouragement should be given to local manufacturers.

Dharmarth

A financial statement showing the condition of Dharmarth funds should be presented without delay. Any surplus funds should be devoted, as recommended by the Commission, to the furtherance of beneficial objects compatible with the objects of the Trust, and particular attention should be paid to the establishment of Gawashalas and improved water supplies. The practice of recovering Dharmarth dues in kind should be replaced as soon as practicable by cash recoveries in all cases. The orders already issued in regard to the change of the Chari connected with the pilgrimage to Amarnathji should be duly carried out

Sales Of Meats, Etc.

The recommendations of the Commission are approved and should be carried into effect. The Governors of Provinces should put up their proposals in regard to any places in which the sale of meat etc., is repugnant to religious feelings, and orders respecting such places should be duly notified Butchers' shops will be closed entirely only on the following four days—Ram Navami, Janam Ashtami, His Highness the Maharaja Bahadur's Birthday, Birthday of the Heir-Apparent.

The existing exemptions in this respect in favour of certain classes will be cancelled. No fees should be charged for the slaughter of goats, etc., on the occasion of the Id-uz-Zuha or any other occasions, on which such slaughter may be required for the purpose of religious observance.

Use of Tanks

No invidious distinction shall be permitted by the State in the case of tanks, bathing places or drinking places, which are of a public nature, that is to say, tanks, etc., in respect to which no exclusive or prescriptive right can be established.

Prevention Of Infant Marriages

The recommendations put forward by the Commission with a view to the prevention of harassment and abuse should be adopted and instructions should be issued accordingly to all officers concerned.

Henjis, Hawkers And Transport-owners

The Commission's proposals in this matter commend themselves to His Highness and the Minister-in-Charge should report whether there is any objection to their being carried out in full. In particular information should be supplied as to the combined agency for the collection of both Ghat-tax, and boot-tax, the acceptance of Lumberdars' certificates for the exemption of local inhabitants from the payment of road-toll and the discontinuance of camping site tax and the levying of charges for entrance into the Nishat and Shalamar Gardens.

Press Regulation

The enactment of a revised Press Regulation with a view to bringing the State procedure as far as practicable into conformity with British Indian legislation in this respect, has been engaging the attention of His Highness' Government and orders are being issued.

KASHMIR CONSTITUTIONAL REFORMS COMMITTEE

In his orders dated the 12th of November 1931, the Maharaja of Kashmir was pleased to declare that it was his intention that measures should be devised for associating his subjects with the Government of the State. It was ordered that, as soon as the Commission appointed to inquire into complaints and disabilities had finished its work, a conference, at which the various interests concerned would be represented, would meet to discuss the introduction of constitutional reforms in accordance with His Highness' intention. The Commission appointed for the investigation of complaints and disabilities finished its sittings in the second week of March 1932, and the Constitutional Conference began its work immediately thereafter. The Report of the Committee embodied recommendations of far-reaching importance. These included the constitution of a Legislative Assembly and District Boards.

CHIEF FEATURES OF THE PROPOSALS

The following is a summary of the proposals made in the Glancy Report on Constitutional Reforms in Kashmir. After explaining the composition of the Conference and the objects thereto, the Report proceeds:

The most important issues which the Conference has examined are as follows:—

(a) Is it desirable that there should be a Legislative Assembly? (b) If so, (i) what should be the functions of such an Assembly, (ii) what should be the franchise basis, and (iii) how should the Assembly be composed?

As regards the first of these questions, there has been some difference of opinion. In regard to the functions of the proposed Assembly something closely approaching unanimity has been achieved. So far as the other main issues are concerned, there has been a very considerable divergence of views, especially with regard to the composition of the Assembly. This divergence is hardly surprising, considering the conflicting interests which different members have represented. There appeared unfortunately to be no hope whatsoever of attaining any semblance of a unanimous finding on these points, and it was therefore agreed that there was no prospect of submitting a joint report. The Chairman accordingly forwards his own recommendations, referring, as may be necessary, to the opinions put forward on behalf of various interests.

Legislative Assembly

Certain members have expressed considerable misgivings as to the wisdom of such an innovation at the present time, in view of the disturbed conditions which have unhappily been prevailing. The general feeling is, however, in favour of such an experiment being tried. It appears highly desirable that the subjects of the State should be given a voice in the administration and, in view of the announcement already made by His Highness in this behalf, there would seem to be no room for doubt as to the action which should be taken in this respect. It is recommended that a Legislative Assembly should be established as soon as may be practicable.

A virtually unanimous opinion has been expressed at the Conference in favour of the functions of the Assembly being defined as follows:—

Subject to the final assent of His Highness the Maharaja Bahadur, the Assembly should have power to make laws.

All Government bills except such bills, if any, as relate exclusively to reserved subjects [namely (1) the person or privileges of His Highness or members of the Ruling Family, (2) foreign relations, (3) the discipline and control of the State Forces], should be referred to the Assembly and should not become law until ratified thereby, provided that (a) His Highness should in case of emergency retain full power to make and promulgate ordinances for the good government of the State and any such ordinances should be operative for a period of six months unless repealed by His Highness at an earlier date and (b) His Highness should, where he considers it necessary in the interests of good government, have power to certify any bill which the Assembly may decline to pass.

Questions and resolutions should be permitted without restriction, provided that:— (1) they do not relate to reserved subjects; (2) they do not affect the religious rites, usages, endowments of personal law of any community other than that to which the member asking the question or moving the resolution belongs; such questions or resolutions may, however, be allowed with the special permission of the President of the Assembly, who should, where he considers it necessary, refer the matter for the orders of His Highness; (3) they do not relate to the merits of cases under enquiry by a court of law. Supplementary questions should be allowed.

Budget

In regard to the Budget, the Report commends:—

No kind of new taxation should be imposed without reference to the Assembly; the grant of monopolies etc., which amount in themselves to the imposition of new taxation, should be treated in the same manner.

It has been suggested that simultaneously with the creation of the Assembly, a non-official Standing Committee should be approved and that the policy of Government in regard to finance, public health, etc., should be explained to the members of such committee and their opinions on these points should be ascertained.

This is a development which might well take place after a suitable period has elapsed. It appears advisable, however, that it should be deterred until the Assembly has actually been created and some experience of its working has been gained.

Franchise

It is generally agreed that the number of voters on the electoral roll should amount approximately to ten per cent. of the total population, a ratio which has frequently been adopted as the working rule in British India. In order to achieve this object, the appointment of a Franchise Committee or some organisation corresponding thereto will be necessary. Information is unfortunately lacking as to the number of people likely to be entitled to vote if different kinds of qualifications are adopted; the proposals put forward are therefore merely tentative and are suggested as a temporary expedient.

As a working basis for the time being, various qualifications have been suggested. It will be observed from the proceedings that opinions have differed to a marked extent in this respect. For instance, the views given in respect to land revenue qualifications have varied between Rs. 10 payment and Rs 500 payment per annum; in respect of immovable property, between Rs. 500 and Rs. 2,000 in value, and in regard to educational qualifications between middle pass and graduate standard.

It is recommended that in the four following cases, the standards now prescribed for the right of voting at Municipal elections may be adopted as franchise qualifications in regard to the Assembly:—

1. Payment of land revenue not less than Rs 20 per annum; 2. Possession of immovable property not less than Rs. 1,000 in value; 3 Membership of a learned profession, such as the Medical or Legal profession, etc.; 4 The receipt of a Government pension of not less than Rs. 25 per month.

In addition to the above it is recommended that any of the following additional qualifications should also be regarded as sufficient:—

(1) Payment of municipal taxes not less than Rs. 20 per annum; (2) title holders, Zaildars, Lumberdars and Safed Poshes; (3) Jagirdars and Pattadars enjoying an assignment of not less than Rs. 50 per annum, (4) educational standard Matriculate or corresponding Vernacular standard.

The same qualifications for membership of the Assembly as those recommended for franchise might be adopted.

It is recommended that the following, among others, should be regarded as disqualified for purposes of franchise:—

(1) Females; (2) persons below the age of 21; (3) persons certified as insane; (4) undischarged bankrupts or insolvents; (5) persons convicted by a criminal court of an offence punishable with imprisonment for a term exceeding six months, provided that, if a period of five years has elapsed since the termination of the sentence, the disqualification shall cease to operate; (6) persons who are at the time of the election under orders by a competent court to provide security for good behaviour; (7) persons, other than State subjects, who have not been domiciled in the State for a consecutive period of five years immediately preceding the time of the election.

Composition of Assembly

The total population of the State is recorded as roughly 36½ lakhs. Excluding the Poonch and Chenani Jagirs and certain distinct Frontier Illaqas, such as Hunza and Nagar, which are in certain respects withdrawn from the scope of the ordinary State machinery, the population comes to approximately 32 lakhs. If Ladakh and Gilgit proper are also excluded there would be a further reduction of about 2½ lakhs. The general feeling of the Conference is that Ladakh and Gilgit proper should not be excluded for the purposes of the Assembly. It is true that these tracts are comparatively backward, also that they are cut off at certain times of the year; they form, however, an integral

part of the State for ordinary purposes and, except in the winter months, communications are open.

It is clearly undesirable that the Assembly should be composed of so large a number of members as to become unwieldy. A working basis in regard to the number of elected members would seem to be provided by the allotment of one such member to every lakh of the population. On this basis there would be 32 elected members in all.

Joint or Separate Electorates

One important question that arises is whether electorates should be separate or joint. It will be observed that there has been a general consensus of opinion at the Conference in favour of separate electorates. Some members have pointed out that, although the establishment of separate electorates has sometimes been regarded as responsible for increasing communal tension in British India, the acute communal feeling which unhappily prevails in the State at the present time can certainly not be ascribed to this cause; it has been maintained that, in the case of the Srinagar Municipality, the introduction of joint electorates has enhanced the feeling of antagonism and distrust between the different communities. It would appear that in the existing state of tension, the institution of joint electorates must be regarded as a dangerous experiment. It is obviously advisable at the present time to avoid as far as possible all superfluous elements of danger. Separate electorates are accordingly recommended

There has been a consensus of opinion on the point that there should be no plural voting. The place at which a voter should record his vote should depend upon the locality in which he normally resides at the time of the election.

In regard to the allocation of elected seats in the Assembly among the various communities, widely different views have been put forward

If population is strictly followed, Muslims, whose ratio works out at 75 per cent., should get 24 out of 32 elected seats, and Hindus, who came to 22 per cent., should be given 7. Buddhists and Sikhs would hardly qualify for one seat between them.

The principle of "weightage" has, however, to be taken into account in order to safeguard the interests of minor communities. This principle has been fully recognised in British India. Responsible Mohammedan opinion has been expressed in favour of the principle of "weightage" being applied to the State Assembly, provided that Muslims are allowed to retain an actual majority in the matter of elected seats.

A fair solution would appear to be provided by allowing to Hindus sufficient "weightage" to bring their number of elected seats in the Assembly up to 33⅓ per cent. Muslims would in this case be awarded a fraction over 60 per cent., while Sikhs and Buddhists would each be given just over 3 per cent.

It has been claimed that not less than 4 seats should be allowed to Sikhs, or, failing that, two, one for Jammu and one for Kashmir. It is suggested that their aspirations might be met by the practice of including among the nominated members one Sikh member coming from that province to which the elected Sikh member does not belong. The only other alternative that seems possible is to increase by one the total number of elected members, but this would of course disturb the general ratio In the case of the Buddhists one elected seat should suffice.

Some difficulty is to be found in deciding how effect is to be given to the "weightage" proposed for Hindus. It is true that the great bulk of the Hindu population belongs to the Jammu Province, but there are obvious objections in the way of allotting them a larger number of seats in that Province than can be given to Muslims, who even in Jammu are more numerous than Hindus. The most satisfactory solution appears to lie in giving the "weightage" its main effect in the Kashmir Province; although the Hindus in Kashmir are relatively small in numbers, they are a highly advanced community and it is to be expected that their voting strength will prove to be considerably higher than their population would suggest.

It is not proposed that any elected seats should be reserved for the depressed classes. In the census, the depressed classes are recorded as Hindus, and there appears to be no sufficient reason for according them different treatment from that received by them in the Punjab, where no special reservation obtains.

Nominated Members

Here again there has been a great difference of opinion. The proposals put forward by various members for the proportion of nominated to elected seats vary between 25 per cent. and 150 per cent.

It would seem a fair solution that the total number of nominated members should be equal to two-thirds of the number of elected members, namely 22, and that, in addition to these, His Highness the Maharaja Bahadur should, if he sees fit to do so, appoint his Ministers, not exceeding 5 in number, as ex-officio members. The total membership of the Assembly would thus be limited to 60 (33+22+5)). In regard to the nominated members, not less than one-third should be non-officials; apart from this, His Highness should have entire discretion in the matter of nomination. There has been a general consensus of opinion, however, expressed at the Conference that nomination should be so

regulated as to provide as far as possible for the representation of interests which are not specially catered for in the elected membership, such for instance as Jagirdars and commercial interests. If the above recommendations are adopted, there would be a clear elected majority and there would be a proportion of not less than two non-official members to one official member.

District Boards

At present there are no District Boards in the State. There has been a general consensus of opinion expressed at the Conference in favour of a beginning being made in this matter in the following way.

Wazirs or District Officers should once every year call a meeting of all the Zaildars in their Districts. The Tehsildars and the Board Cess Overseer should also be present. The Wazir should make known the amount of funds available from the Road Cess Fund for expenditure in the Wazarat, he should ascertain from those present the requirements of the various Zails and he should then proceed to make allotments after taking into consideration the views expressed. Zaildars should at the same time be given an opportunity to put forward their views in regard to other matters, such as Schools, Medical Relief, Sanitation, etc.

In the case of districts in which distances are great and communications indifferent, such as for instance the Udhampur Wazarat which includes Kishtwar, Bhadrawah and Ramban, it may be difficult to summon Zaildars to District head-quarters without causing them undue inconvenience; in such cases the Wazir should make a point of consulting Zaildars at convenient places when he proceeds on tour.

Personnel of the Franchise Committee

The Government of Kashmir has passed the following orders on the Report:—

The Report contains many matters which require very close and careful examination and consideration before His Highness' Government can pass full and final orders thereon. Regarding the important questions of franchise and composition of the Assembly, the Conference has only been able to put forward tentative suggestions, which may be found to require modification when statistics are available As a first step, His Highness in Council has been pleased to accept the recommendation of the President of the Conference to appoint a Franchise Committee to examine the portions of the Report relating to franchise and to questions of qualifications for a vote, with directions to present their report as early as possible.

The Franchise Committee will be composed as under:—

1. Sir Barjor Dalal, Kt., I.C.S., President; 2. Mr. L. W. Jardine, I.C.S, Vice President; 3. K. B. Sh. Abdul Qayum, Member; 4. Th. Kartarsinghji, Member; 5. Mr. Ram Nath Sharma, Secretary.

The terms of reference will be as follows:—

(a) The Committee will proceed with the creation of machinery for the collection of the necessary statistics

(b) The Committee will examine different kinds of qualifications for franchise on the basis of which statistics will be collected.

(c) Similarly the Committee will examine the disqualifications for franchise.

(d) The Committee will examine qualifications and disqualifications for elected membership of the Assembly

(e) The Committee may also submit recommendations on any other matters which, as a result of their enquiries, appear to be germane to the subject.

(f) The Committee is empowered to receive representations concerning the questions referred to it, in writing or orally, from all classes of His Highness' subjects and from bodies composed of such persons.

(g) The President or Vice-Precident of the Committee may summon any person resident in the State to give oral evidence before the Committee and such evidence may be recorded publicly or in camera at the discretion of the President or Vice-President who may be presiding at the time.

(h) The President or Vice-President may request any Minister or Department of State or any official of the State to supply such information as may be required for the purposes of the Committee.

BHOPAL STATE

An Enquiry Committee went to Bhopal State to enquire into the grievances and disabilities of the Hindu subjects there. The Report of the Committee, issued on April 8, by the Hindu Mahasabha said:—

HINDU MAHASABHA'S REPORT

The general impression among the Hindus is that the majority of the police in the State, far from performing their duty, never assist in tracing the kidnapped Hindu boys

and young Hindu girls. It is very seldom that a Hindu reports a case of theft, kidnapping or abduction to the police because his bitter experience is that instead of getting any relief he will be subjected to molestation by the police. The Hindus of the Bhopal State appear to have been completely emasculated. They have been overawed by most of the Muslim Qaziz.

Loans by Force

Quite a large number of Muslim officials, it is alleged, take loans by force from the Hindu Mahajans and then refuse to pay them The poor Mahajans cannot do anything because they know that wherever they go, they have to deal with the bigoted Muslims. The Hindus in the Bhopal State cannot perform even their religious rites properly. They cannot even build a temple. They cannot perform any religious ceremony by the accompaniment of music. They cannot and do not generally have any social function without fear of molestation.

Lack of Educational Facilities for Hindus

In the text books used in the State schools the Mahomedan period and the Muslim heroes have been glorified and the Hindu heroes depicted as fools and idiots. Huge sums of money raised from the pockets of the Hindus are spent on mosques, Qazis, Tanzim and Tabligh, both inside and outside the State. Hindus have no share, worth the name, in the administration of the State.

As regards the Education Department of the Bhopal State, the report says it may, without any exaggeration, be called an Anjumani-Tabligh (Proselytizing Society). The medium of instruction in the school is Urdu, although Hindus form 90 per cent. of the population. The study of Hindi is deliberately discouraged in the schools. No journals and papers written in Hindi are subscribed to by the State Reading Room.

Ability and merit have seldom been a consideration for the Bhopal State in awarding of scholarships to students for studies in and outside the State. Profession of Islam is the main qualification for getting a State scholarship. The Ikhlaki Courses are text books in the schools and their study is compulsory for all. In these courses Hindu heroes and Hindu religion are ridiculed. The Director, Assistant Director and the Personal Assistant Director of the Education Department, Headmaster of the High School, Superintendents of Girls' Schools are all Muslims. Out of 50 holidays given in the school for a year, majority of students being Hindus only 16 holidays are given in connection with the Hindu festivals.

The Kilkisa school is the only Hindu school in the State and it is starved for want of funds. The hard-earned money taken from the pockets of the Hindus is lavishly expended on Muslim societies and Muslim institutions.

No Religious Freedom

Referring to religious freedom and ecclesiastical institutions, the report says, that the Hindus in the Bhopal State do not enjoy the right of free association for social and religious purposes. It is impossible to establish an Arya Samaj in Bhopal, although law has given full liberty to do so. The police harass the people who are suspected of holding Arya Samajist's views and so it is that there is not a single Arya Samaj in the whole of the Bhopal State. An Aurangzeb Association has been started in Bhopal to overawe those people who are connected with Hindus or Hindu Societies in any way.

A Huge Fraud

The Legislative Council of the Bhopal State is a huge fraud. It was started ostensibly with a view to associate the people with the administration of the country, but no adequate and effective representation was given to the people. Very little representation is given to the cultivators. All sorts of undue and unfair pressure is brought to bear on the cultivators to vote for a particular person with pro-Government tendencies. Any measures which are distasteful to the Muslim members have no chance of being carried through. The Legislative Council is just like a toy placed in the hands of the people with no power and voice Hindus have not benefitted and cannot derive any benefit from such a mockery of Legislative Council.

Hindus and Public Services

As regards percentages in public services, the report says, that the Hindus constitute 89 per cent. of the population of the Bhopal State. Taxes for the maintenance of the State are mostly raised from their pockets but their representation in the public services amounts to nothing. Petition after petition was submitted to the Nawab for increasing the representation of the Hindus in the Police Services but with no result. On the other hand, retrenchment was effected with the definite object of eliminating those departments in which the numerical strength of the Hindus was greater.

OFFICIAL STATEMENT

Following the publication of the Report, the following facts were published by the Publicity Officer, Bhopal State, under date April 11.

No agitation of any sort exists among the Hindu subjects of His Highness.

The so-called Hindu Subjects Conference which has, in a short space of nearly four months, assumed three different names, "the Bhopal Rajya Seva Sangh", "the Bhopal Rajya Hindu Parishad" and "the Bhopal Hindu Sabha", has never, so far, had any existence in the Bhopal State

Sheonaram Vaid and Kamptapershad, a matric student, are the only Bhopal subjects whose names have appeared in public as President and Secretary respectively of this spurious organisation

The so-called Twenty-Four Demands were submitted over the signature of one Ramsarup Dubey, who has no habit in Bhopal

The said Sheonaram applied on the 19th January, 1932, to the Government Department of Law and Justice, for permission to hold a meeting to consider the present condition of the Hindus of the Bhopal State and to devise means for its amelioration. The Government's reply to this was that His Highness' subjects were free to hold public meetings to give expression to their views.

Sheonaram, thereafter, imported certain persons from outside the State and, having failed to induce the Hindu citizens of Bhopal to attend the meetings which he had advertised, turned these "workers", as they are referred to in newspapers, to the villages, in one of which, one of these workers was heard preaching non-payment of taxes to the simple folk assembled at a fair

Almost every one of these workers tried, in the course of his sojourn in the villages, to conceal his identity and was therefore apprehended by the local police on a charge of vagrancy Of the three persons so apprehended, one has already been discharged by the court for his having given a satisfactory account of himself

Alarmed by the subversive activities of outsiders, the Hindu subjects of the State held a mass meeting on the 11th March, 1932, at which they passed resolutions expressing their unflinching loyalty and devotion to the person and throne of His Highness the Ruler and full confidence in his justice and impartiality to all sections of his subjects irrespective of caste, colour or creed, repudiating the existence of the "Bhopal Rajya Seva Sangh", protesting against the interference of outsiders in the internal affairs of the State and citing various constitutional agencies which the subjects of His Highness possessed of ventilating their grievances, if any.

Another mass meeting of both Hindus and Muslims was held on the 20th March, 1932, at which similar resolutions were passed, besides one expressing abhorrence at the raising, by outsiders, of communal questions calculated to disturb the cordial relations of the Hindus and Muslims of the State and appealing to the public vigorously to oppose such a movement, which was against the traditions of this State

A highly seditious leaflet, notifying the postponement of the so-called Bhopal Rajya Hindu Praja Parishad, reproduced in the "Tej" on the 26th March, was issued over the signature of one Thakur Bhawani Singh styling himself Secretary, Swagat Karni Bhopal Rajya Praja Parishad, who is not a Bhopal subject and whose identity has not so far been traced

The news that an Ordinance on the lines of the Bengal Ordinance has been issued by the Bhopal Government which empowers a first class magistrate to order the arrest of any person on the mere suspicion of carrying on any activity against the State and to demand a bail of one thousand rupees or, on bail not forthcoming, to award imprisonment for one year, is absolutely incorrect The notification that has evidently been misrepresented is one which was issued by the Bhopal Government in the exercise of its powers under the ordinary law and which empowers first class magistrates to require security for good behaviour under Section 98 of the Bhopal State Code of Criminal Procedure, corresponding to Section 108 of the British Indian Code

NOTABLE TRIALS

MEERUT TRIAL

AS FAR back as September 1928 Mr. Horton, the complainant on behalf of the Government of India started his investigations on such matters which subsequently came to be formulated in the shape of charges against the several accused in the Meerut Trial and, six months later on March 15, 1929, a petition of complaint was filed. On the 20th March, 1929, a series of house searches took place all over India and 31 persons were arrested and brought to Meerut. Mr. Hutchinson was arrested three months later and brought to Meerut, making the total thirty-two.

The enquiry before Mr. Milner White, Additional District Magistrate, lasted six months. The Sessions trial began on January 31, 1930 and was still going on during the quarter under review.

Charge Against the Accused

The accused were charged under Section 121-A I. P. C., which consisted of three different offences, including the clause of conspiracy to deprive the King-Emperor of the sovereignty of India. Section 121-A I. P. C. is based on the English Statute against conspiracy and, if applied literally, can be used against any political association within the Empire which is not avowedly monarchist.

The accused were not charged with any overt acts of violence, but preparations for commission of acts of violence.

DEFENCE ARGUMENTS

The accused had to labour under various disabilities. A trial by Jury was not granted and bail was refused. And it was said that the case was purposely started at a place, namely, Meerut, where adequate legal assistance could not be had.

On the close of the depositions of the prosecution witnesses, defence arguments commenced on April 2, 1932 and continued right up to the end of June 1932. Mr. Hutchinson and a number of his fellow accused argued their own cases.

No Jurisdiction

It was submitted that, since charges had been made against a foreign power (Commintern) and the case involved internaticnal issues, no court in British India had any jurisdiction to try this case.

Conspiracy Not Proved

It was argued on behalf of the accused that intention was no crime. Mere conjectures, suspicions, intentions and state of mind were not sufficient to prove the existence of conspiracy. Something specific and definite in the shape of evidence was necessary to substantiate the allegations.

Aim of the Communist International (C. I.)

The Communist International had been described as the fountain-head of the conspiracy. But its aim had not been correctly represented. According to the defence, its aim was to win over the majority of the proletariat and the propertyless population by means of propaganda. Nearly one-sixth of the entire globe was endeavouring to act up to the principles of Communism and, in nearly sixty countries of the world, branches of the Communist International were functioning.

A clause in the petition of complaint described the Communist International as contemplating to achieve its goal by means of a general strike and armed rising. It was contended that armed uprising required something more than a mere general strike. And a general strike was neither a Revolution in itself nor was it punishable under the law.

No Connection of the C. P. I. with the C. I.

It was said that the Communist Party of India had no organisational connection with the Communist International. It was, however, maintained that a Communist Party in India which was affiliated to the Communist International had a right of legal existence and an individual who was a member of such a party could not be charged under section 121-A I. P. C.

Aims and Objects of the W. P. P.

According to the prosecution, the aims and objects of the Workers' and Peasants' Party were the same as laid down by the Communist International. In the circumstances that the Workers' and Peasants' Party was not directly created by the Communist Party of India and that the Communist Party of India was not affiliated with the Communist International and the Workers' and Peasants' Party itself was not affiliated or associated with any subordinate organisation of the Communist Party of India, then, even if there was a similarity between the aims and objects of the two organisations, it was contended that it would not entitle the Court to conclude that the Workers' and Peasants' Party was a Communist organisation. The prosecution would have to prove that the similarity of ideals was because of subordination to Communist organisations.

The aim of the Party was fixed to be the attainment of complete national independence from British Imperialism and a democratic organisation of the country involving the nationalisation of the key industries and the appropriation of land without any compensation. To achieve that aim the Party decided to establish contacts with all anti-imperialist organisations and work among all potentially revolutionary social strata. To increase the momentum of the mass movement, it was decided to establish mass organisations and organise mass demonstrations and mass non-payment of taxes and rent, and general strikes.

How the Workers' and Peasants' Party Grew

The BENGAL PARTY came into existence as the Labour wing of the Swaraj Party which was a part of the Indian National Congress. Non-violent mass actions were the means with which the Party contemplated to achieve its end. And there was no evidence to show that there was any secret conspiratorial design behind the Labour Swaraj Party.

At the Conference of the Labour Swaraj Party held in 1926, a new party was formed in which the Labour Swaraj Party was merged. The new Party thus formed was named "The Workers' and Peasants' Party." The rules and constitution of the new Party were practically a reproduction of the former one. The aims and means were also the same as those of the former Party.

The BOMBAY PARTY started as the Congress Labour Party and its name too was later changed to the Workers' and Peasants' Party. Its aim was to organise and promote the interests of the peasantry and the working class within the Indian National Congress. The demands of the Party were very much like those of the Bengal Party. Its ultimate object was not the establishment of "proletariat dictatorship" or "the overthrow of all existing forms of Government."

"Veiled" Communist Organisations

According to the prosecution, these workers' and peasants' parties were "veiled" Communist organisations, or, in other words, their programmes were so devised as to rope in the unsuspecting members of the public who perhaps could not be induced to join a Communist Party or had little or no sympathy with Communism. If that be so, the defence contended, it could not be at the same time be said that the very fact of certain people being either members of those bodies or being in touch with some of the prominent members of those bodies was by itself an evidence of the participation in the conspiracy.

Class Struggle and Non-Violence

It was maintained that there was nothing unusual in the Party's recognising Class Struggle as one of its fundamental principles. In this advanced stage of human thought it would be presposterous to say that the interests of the rich and the poor were identical.

As to non-violence, the party did not deny the utility of non-violence as a tactic, but denied that it would be necessary at all times and in all circumstances and was opposed to raising non-violence to the level of a principle. That showed that the party ultimately gave up the cult of non-violence but that fact, it was argued, did not allow the inference that it became a Communist organisation. The Workers' and Peasants' Party might have been a revolutionary organisation but not a Communist organisation. The members of the Workers' and Peasants' Party might be guilty independently under section 121-A and even under section 121 I. P. C. but they could not be held guilty under Section 121-A in a Communist conspiracy.

An Independent Political Party

The programme of the Workers' and Peasants' Party, it was emphasised, should be considered as a whole and not piecemeal. Similarity of ideas and methods could

not be the determining factor to come to the conclusion that the two organisations were in league with each other. The prosecution documents did not disclose a conspiratorial connection between the Workers' and Peasants' Party and the Communist International, while many documents went to show that the Workers' and Peasants' Party was an independent political party.

Formation of Trade Unions

The organisation of Trade Unions was the natural function of the Workers' and Peasants' Party and also its legitimate duty. The mere fact of formation of Trade Unions would not render the Party conspiratorial. With mass organisation as its avowed object, the Party would not have been true to its own creed if it did not devote to the formation of Trade Unions persistently and enthusiastically.

The prosecution would have to show that either that activity was in itself criminal or was with a criminal design. Before that, the Trade Union activity of the accused could not be called illegal. The Workers' and Peasants' Party representatives did advocate the extension of strikes all along the line. But, it was maintained, the strikes were a part of their constitutional activity and was in no way objectionable, but was justified for justifiable reasons, as there was no other way left to the workers to win their modest demands. Strikes were conducted as genuine trade disputes and any inference to the contrary was an inference without any proof, a generalisation which could not be supported by evidence.

The Calcutta Conference

The proceedings of the All-India Workers' and Peasants' Party Conference held in December 1928, if taken as a whole, could not be shown to have been a purely Communist Conference. The prosecution had made much of the fact that the Conference received fraternal greetings from the Executive Committee of the Communist International. But the C. I. sent greetings to A. I. W. P. P. for the simple reason that it everywhere supported the revolutionary struggle of the masses and it (the C. I.) recognised the fact that the A. I. W P P. was not affiliated to it.

In that Conference the A. I. W. P. P. decided to affiliate itself to the World League Against Imperialism and not to the Communist International. That suggested that the All-India Workers' and Peasants' Party was an anti-Imperialist, but not a Communist, organisation.

Overthrowing His Majesty's Sovereignty in India

The prosecution claimed that the Workers' and Peasants' Party was formed with the express object of overthrowing the sovereignty of the King-Emperor in India through an armed revolution. But it was urged and pointed out by the defence that nowhere in the documents of the Workers' and Peasants' Party it was laid down in so many words that the sole aim of the Party was to deprive the King-Emperor of his sovereignty over British India. The Workers' and Peasants' Party believed in the inevitability of revolution in India, but, if a member of the Party was convicted on the basis of that belief, it would be tantamount to a prosecution for views. The Workers' and Peasants' Party, it was admitted, did have for its object the overthrow of British Imperialism but, it was contended, the relation of Imperialism to the sovereignty of the King-Emperor was remote and should not be relied upon in a judicial criminal trial.

A Left-wing Socialist Party

Beyond adopting a few resolutions, the Conference of 1928 did not change the Party's colour as to appear entirely "Red." A study of the thesis, policy and programme of the Party showed it to be a Left-wing Socialist Party, but not a section of the Communist International. Its aims and objects were such as were to be found in the constitution of other bodies that were not connected with the Communist International.

SOME INDIVIDUAL CASES

MR. HUTCHINSON—Mr. Hutchinson mentioned that the evidence of his activities after the arrest of the other accused could not be admissible as evidence of conspiracy since the conspiracy came to an end with the filing of the complaint, and it was physically impossible for the people already in custody to be co-conspirators.

MR. DANGE—In course of his arguments Mr. Dange referred to an alleged letter from Mr. M. N. Roy to Muzaffer Ahmed and said that the letter was equal in fame to the famous Zinovieff letter. He dwelt at great length on the deposition of one Mr. Muhammad Abdul Hakim, a sailor, who was given that letter by one Upadhyaya in England and remarked that all the circumstances leading to it read like a novel. Examining the evidence of Mr. Brajnell and Mr. Stodd of the Government Examiner's Department, he held their respective evidence contradictory. There was no signature at the end of the letter and, maintaining that the bigger envelope never contained the alleged letter, he concluded that it was a forgery.

MR. NIMBKAR—Summing up the case against him, Mr. Nimbkar said that all their activities were legal and there was not a single act which could be taken as a breach

of law and on which the prosecution could stand. He appealed to the assessors to give their decisions on the side of Progress and not on that of Retrogression.

MR. BRADLEY—Mr. Bradley said that the mass of evidence produced by the prosecution was only spectacular and created confusion. Endorsing the arguments made by Mr. Juglekar who preceded him, he maintained that his activities were bona fide Trade Union activities and all the strikes in which he participated were genuine trade disputes. He concluded that the prosecution had failed to prove their charges against them.

MR. CHAKRAVORTY—Concluding that the prosecution evidence against him was inconclusive and defective, Mr. Chakravorty said that he worked in the immediate and ultimate interests of the Working class and against the bourgeoisie. He had done no act which was illegal under the law as it existed.

DR. BISWANATH MUKHERJEE—Dr. Mukherjee, summarising and enumerating the charges against him, said that though he had organised Unions and did propaganda in that connection, he did not proceed with any idea of performing Communist work. He worked in the Trade Union Movement with Pundit Harihar Nath Sastri of Cawnpore. Referring to a book he was writing prior to his arrest, he said that he was never inclined towards Communism, and, moreover, regarded Bolshevism as a Utopian dream.

MR. KISHORI LAL GHOSH—Mr. Ghosh said that most of the evidence against him was in connection with the organisation of Trade Unions, participation in strikes and associations with people engaged in such activities. With regard to the charge of incitement of antagonism between Capital and Labour, Mr. Ghosh emphasised that no public organisation could be founded unless there was a sense of grievance concerning the interests of a certain class of people. He contended that there was evidence to show that he made attempts to arrive at compromises, and no evidence to prove that he sought to extend the strikes even a day longer than necessary. To judge the nature of his activities in connection with the strikes, it ought to be seen whether the policy pursued by him was in agreement with the policy and programme which, according to the prosecution, had been laid down by the Communist International in regard to strikes.

He said that there was nothing conspiratorial in his connection with Spratt. Mr. Spratt's name was suggested by Mr Chaman Lal in a Sub-Committee for an enquiry into the conditions of Trade Unions in Bengal of which the other member was Mr. Ghosh himself. There was therefore nothing strange and unusual that he should be associated with Mr. Spratt in certain of the Trade Union activities. Mr Ghosh said that there was no working in a team either with Mr. Spratt or Mr. Dange as has been suggested by the prosecution He had ideas about the need of setting up a sort of a Labour Research Bureau. But beyond the mention in a letter, from Mr. Spratt to "Dear Robin," of Messrs. Dange and Ghosh in the same breath, there was nothing in the records to show any association of the two in regard to that matter.

In regard to the Indian National Congress, Mr. Ghosh said that he was not in favour of a hostile attitude but, on the other hand, he was always prepared to co-operate with that body whenever an occasion presented itself

Mr. Ghosh believed in Socialism, and the goal of the Trade Union Congress, as was formulated in a resolution drafted and moved by Dewan Chaman Lal and seconded by him (Ghosh), had his full support. He identified himself with men like Messrs R. R. Bakhale and Dewan Chaman Lal and concluded by urging the Assessors to take note of all the circumstances with regard to the differences between the Socialists and the Communists, and then to find out whether it was at all possible and practicable for a Socialist like him to participate in a conspiracy, supposing there was one.

MR. PHILIP SPRATT—The prosecution case against Mr. Spratt, it was argued, was not based on direct evidence but consisted of a whole series of "circumstantial-inferential" evidence. It was pointed out that the evidence really disclosed that Spratt's visit to India was bona fide and not conspiratorial. He came as an authoritative agent of Birrell and Garnett, a respectable firm of London Book-sellers, and with introductory letters from Mr. R. P. Arnot. The prosecution, it was contended, had failed to establish that Mr. Spratt had been sent to India by the Communist International to further its objects, and it could not be inferred from the fact that Mr. Spratt was doing Communist work in India.

MR. ADHIKARI—Mr. Adhikari arrived in India from Berlin on 10th December, 1928 and was arrested on the 20th March, 1929 and his activities concerned those hundred days of freedom which he enjoyed in the land of his birth. It was stated that the entire prosecution evidence filed against him was not sufficient to prove a charge under Section 121-A.

MR. SHIBNATH BANERJEE—Though Mr. Banerjee had been to Moscow, it was argued, he evidently did not agree with the Communists as was clear from his subsequent conduct all throughout. The speeches he delivered, it was shown by analysing them, were all of them speeches of ordinary trade unionist type.

MR. P. C. JOSHI—The evidence of Mr. Joshi's inclinations and associations before August, 1928, was completely lacking and the case against him began only from that

period. It was shown by arranging the documents in a particular sequence that Mr. Joshi was not a member of the Communist Party, and the list which included his name did not refer to the Executive of C. P. I., but to the National Executive Committee of the All-India Workers' and Peasants' Party.

MR. SAMSUL HUDA—Counsel for Mr. Huda said: "Mr. Huda's case resolves itself into two parts. First, his membership of the Workers' and Peasants' Party, and second, his participation in strikes and demonstrations. These are quite normal activities, and they cannot become objectionable just because he is a member of the Workers' and Peasants' Party. Mr. Huda's activities taken by themselves were so harmless that they would not justify his conviction." It was finally stated, on behalf of Mr. Huda, that the prosecution had failed to prove, against Mr. Huda, a case under Section 121-A, as outlined in the petition of complaint.

MR. DESAI—The evidence of Mr. Desai's long-standing association with journalism and journalists both in India and England, it was argued, would show that his starting the "Spark" was not of a sporadic or propagandist character, but a stage in his career as a journalist. Similarly, his long and intimate connection with Socialists would be inconsistent with the prosecution charge of Communism. Mr. Desai was not a member of the Workers' and Peasants' Party or of the Communist Party in India. In fact, the only activity with which Mr. Desai was charged was his editing the "Spark," a weekly paper published in Bombay from January 27th, 1929, which was not an official organ and no mention of which was to be found in the proceedings of the Workers' and Peasants' Party in Bombay.

The defence finally urged that if Desai in naming his paper "Spark"—a name suggested to Desai, by Mr. Khare of the Bombay Chronicle, as a simple and attractive name—was actuated by revolutionary motives and wanted to run a paper of the Communist character, he would at least have chosen some other name and not a name with such clear and definite Menshevik associations.

MR. RADHARAMAN MITRA—The case against Mr. Mitra was confined to his association with the Workers' and Peasants' Party. He was the General Secretary of the Bengal Jute Workers' Association which was affiliated to the Workers' and Peasants' Party and thus he was indirectly connected with the Workers' and Peasants' Party. There was no evidence of his independent membership of the Party. It was argued that most of the evidence against Mr. Mitra was not tenable. His activities, as disclosed by the prosecution evidence, were confined to strikes and the evidence against him consisted of the speeches he delivered there. But there was no evidence to connect Mr Mitra with either the Communist Party of India or the Workers' and Peasants' Party. Nor was there any correspondence between Mr. Mitra and any of the other accused. "If there is any accused," concluded the Defence Counsel for Mr. Mitra, "to whose case provision 4 of Section 497 Cr. P C. could be extended, it is the case of Radharaman Mitra."

PROSECUTION COUNSEL'S SUMMING UP *

Mr. Kemp, the senior Crown Counsel, summing up the prosecution case, said that since the 18th of March, 1931, when accused Radharaman Mitra began making his statement, the Court and the Assessors had been hearing the defence point of view, but he would ask them to treat much of what had been said in the course of their statements by most of the accused as irrelevant and as having no bearing on the case itself.

He then, by a reference to the statements made by a number of the accused, pointed out what he considered contradictions and misrepresentations involved in them and was of opinion that they were done with the deliberate intention of conducting propaganda and of misleading the public and not with a view to help the Court or the Assessors to come to a correct finding.

Taking Dictation From Moscow

He referred in this connection to the rules laid down by the International Control Commission set up by the Communist International, rules of which were meant for the guidance of Communists when tried before bourgeoisie courts. One of them was that a Communist should not admit facts before a bourgeoisie court or that a Communist should not take the plea that Communist parties in other countries were legal and to he should not be punished, etc. He pointed out that a number of the accused in this case, curiously enough, had very faithfully followed the rules laid down by the Control Commission, including the one about propaganda.

Guiding Youthful Element in Congress

He also quoted from a letter, which, he said, had been duly proved to have been written by Dange while in jail for passing abroad, wherein he (Mr. Dange) said in effect that propaganda was necessary to counteract the mischief done by the other side, "prosecution side," and also to give a lead to the youthful element in the Lahore session of the

* The summary is for the period ending June 30, 1932.

National Congress. The question for them was whether, on the evidence that had been adduced by the prosecution, they were guilty of the charge brought against them or not. It would not do to cloud that issue by considerations which had absolutely nothing to do with that question.

No Matter when the Revolution was to come

It had been contended by some of the accused that they had absolutely no quarrel with His Majesty the King and that they had no intention of depriving him of his sovereignty, because he had no sovereignty at all and that it was the bourgeoisie who were the real rulers. He would not waste much time in refuting that. The law, as it stood, did recognise the sovereignty of the King and did consider it criminal if an attempt was made to deprive him of the same The personal aspect sought to be brought out in that matter regarding the King did not at all arise. It had been said for example that the prosecution had deliberately confused between the ultimate and the immediate object which was revolution. To his mind it mattered very little whether the objective to be attained, if it happened to be illegal by itself, was immediate or ultimate.

If it was found that the objective of the accused was to deprive His Majesty of the sovereignty of British India by a revolution, then, it mattered very little as to when the revolution was to come. It was the preparation for it which had got to be taken into consideration in relation to the object. If it was proved that the accused had for their object a violent revolution and that some preparation to attain that objective was being made, he submitted that a case had been made out against them, irrespective of the stage which their preparations might have reached.

Misrepresentation of the Accused

Mr. Kemp, continuing what he considered to be the misrepresentations made by a number of the accused, contended that the present prosecution was certainly not directed against the Trade Union movement nor against the Trade Union activities of the accused. In support of his contention he quoted a letter purporting to have been written by M. N. Roy and forming part of the records of this case, which was designed to remove the "Wrong impression about our programme and activities in consequence of the story told by the prosecution in the Cawnpore trial"

"Political Letters"

Further support for this contention was sought by the Crown Counsel from a booklet in English, entitled "Political Letters", by M. N. Roy, which was also a part of the records in this case. An extract was also quoted from the famous "Assembly letter" where Roy held that preparations for waging war were the very *raison de etre* for the existence of the Communist Party in India.

The Crown Counsel further pointed out that all the acts of which evidence had been placed before the Court were not offences nor even essential parts of offences, but they had been brought out with a view to enable the Court and the Assessors to draw the inference that an offence had been committed.

"Circumstantial Evidence"

To prove conspiracy by direct evidence, submitted Mr. Kemp, was most difficult, and the prosecution had to rely on circumstantial evidence. Evidence regarding Trade Union activities was extremely important in the case of certain of the accused, such as Alwe and Kasle from Bombay, Banerjee and Ghosh from Bengal, etc., but, in the case of most of the accused "professing Communism," the evidence of Trade Union and strike activities formed an insignificant part—almost a drop in the ocean.

What Prosecution had been able to Prove

Crown Counsel then claimed that the prosecution had been able to prove the following facts:

1. Conspiracy existed for all material time, and it was a conspiracy to bring about a violent mass revolution with the object of overthrowing the sovereignty of the King.

2. The driving force of this conspiracy is an organisation known as the Communist International.

3 In pursuance of this conspiracy, the C. I. has contrived through its subordinate organisations, such as the Communist Party of Great Britain, individual agents such as M. N. Roy and others, subsidiary organisations such as the R. I. L. U., the League against Imperialism, and so on, to propagate its doctrines in India with a view to bring about an armed revolution.

4. Preparation for the revolution and the different steps that were expected to lead up to it, and then finally, in individual cases, how far they were concerned in the conspiracy.

Dealing with the petition of complaint filed by the prosecution in the case, Mr. Kemp pointed out that the accused were not being tried on the complaint but on the evidence before the court.

Original Complaint

He then read out the first paragraph of the complaint which was as follows:—

"That there exists in Russia an organisation called the Communist International. The aim of this organisation is, by the creation of armed revolution, to overthrow all the existing forms of Government throughout the world, and to replace them by a Soviet Republic, subordinate to and controlled by the Central Soviet administration in Moscow."

Aim and Doctrine of Communists and the C. I.

Mr. Kemp went on, quoting from a large number of books on Communism by Marx, Lenin and others, as also from official publications of the C. I., to indicate what the aim of the Communists, and incidentally, of the C. I., was and the method advocated by the Communists and the C. I. to realise that aim He also quoted a number of extracts from a joint statement made by 19 of the accused professing Communism which was placed before the court by R. S. Nimbkar on behalf of himself and 18 other accused.

Continuing his exposition of the Communist doctrine, based on the teachings of Marx, as far as it was helpful in throwing light on the conspiracy, the Crown Counsel said that the aim of the Communist was to form the leadership of the advanced class-conscious proletariat and fight the bourgeoisie for the conquest of power. To do that, the Communist must create class-consciousness among the proletariat, and the combination of Trade Unions on the basis of class was necessary to meet the combination of the capitalists, but Trade Unions by themselves were not sufficient to realise the aim of the Communist, which was the conquest of power for the proletariat.

Creating New Society

Their idea of the conquest of power did not lie in a change of the personnel. They wanted that the present structure of the State should be completely broken up and replaced by a new structure through which the proletariat should exercise its political power. This regime was known as the dictatorship of the proletariat. This could not be done peacefully, but must be done through revolution, leading to the establishment of the Proletariat in power which, according to the Crown Counsel, was not based on law, but on the force of armed masses

Follow the Moscow Road

It was sedulously preached that Russia was the standing example to the proletarian movement all over the world as to how the victory of the proletariat could be achieved, and the proletarians of the world were invited to follow the Moscow examples. The proletarian movements in Imperialist countries must link themselves up with the national liberal movement in their respective colonies. These were the principles on which the Communist International was based.

History of Russian Revolution

Mr. Kemp narrated in detail the history of the First and Second Internationals and the circumstances which led to the birth of the Third International, and incidentally gave a brief account of the Russian Revolution of 1917, known as either the October or November revolution which led to the establishment of the dictatorship of the proletariat in Russia with Lenin at its head. He also dwelt on the difference between the Second and the Third International and the constitution of the Third International and its working.

Fifth Congress of C. I.

Continuing his arguments, Mr. Kemp dealt with the discussion on the Colonial question in the Fifth Congress of the C. I. in 1924. He drew particular attention to the policy outlined for India. The programme of the C. I. for India was that the nationalist organisations were to be amalgamated into an anti-imperialistic 'bloc' under the slogans of separation from the Empire, a democratic republic, abolition of feudalism, etc. Indian Communists were asked to secure the leadership over the peasantry and capture the trade unions.

Individual Terrorism

Dealing with the Communist attitude towards individual terrorism on the basis of the documents in the case, Mr. Kemp said: "Communists do not pretend to have any compunction so far as indulging in terrorism goes, or so far as killing goes. It is only individual terrorism they do not seem to like. Their reasoning is: you may kill one undesirable person and another, just as bad, crops up. It gives you a bad name and is not useful. They believe in mass terrorism and mass violence. The form of violence is a question of expediency, and not of principle."

Origin of R. I. L. U.

Mr. Kemp then proceeded to explain the origin and character of the Red International of Labour Unions (R. I. L. U.) which was an amalgamation of all Red or Communist trade unions. In July-August 1920, the second Congress of the Comintern was held, and it invited all trade unions which recognised its principles and broke with the Yellow International.

M. Zinovieff, as president of the Executive of the C. I., issued an appeal for the formation of a Red International of Trade Unions, and M. Losovosky was put in charge of this affair. This International was to fight for the dictatorship of the proletariat and Soviet rule, by a combination of general strike and armed revolution. The red trade unions were to unite internationally and become an integral part of the Third International.

The inaugural Congress was held in Moscow in July 1921. The aims were an insistent propaganda for revolutionary class-struggle, the dictatorship of the Proletariat, and a fight against the disease of class co-operation and against the hope that a peaceful transition from capitalism was possible. Working co-operation was decided upon between the R. I. L. U. and the C. I. and the representatives of each body were to find a place in the other. The Congress (Indian National Congress) received a letter from Lenin which created a wonderful effect, and was lustily cheered. Lenin said: "The strength of the Trade Union lay in its close alliance with the C. I." This, Mr Kemp said, was very important.

Declared Aim of N. M. M.

Mr. Kemp next took up the National Minority Movement of Great Britain (N. M. M.) which, he said, was the British section of the R. I. L. U. The declared aim of the N. M. M. was "to make the existing unions militant organs of class-struggle." The British Communists claimed the organisation of the N. M. M. to be the biggest thing they had achieved and it was, under the political leadership of the Communist Party, the vanguard of the revolutionary movement.

The work of the N. M. M. was to be carried on in the Colonies under the slogan of independence of the Colonies. Mr. Kemp rounded off his argument on this point by reading the following extract from the official report of the R. I. L. U: "It is time for the working class to arm itself. It must be ready with arms in its hands for a better future."

Colonial Activities of C. I.

Mr. Kemp then resumed his narration of the Colonial activities of the C. I. The Commintern at the Fifth World Congress had given instructions to its various sections, particularly the C. P. G. B., to increase their Colonial activities; and Communists in Britain began to work up the British working class to assist the revolution in India and other Colonies. During the general election of 1924, the C. I. instructed the C. P. G. B. to "criticise and expose" Mr. MacDonald's Colonial policy and put forward M. N. Roy as a candidate for Parliament.

Mr. Kemp analysed the correspondence seized at the headquarters of the Communist Party of Great Britain (C. P. G. B.) and showed how the Communist International (C. I.) exercised control over its actions. The C. I. named two persons, Arnot and Rathbone, whom it wanted to work on the Information Department and, Mr Kemp said, "curiously enough, these are the two persons who sent money to Spratt in India."

Mr. Kemp then proceeded with his description of Communist work in India. The Colonial Department of the C. P. G. B. sent its first agent to India in the person of Percy Glading who arrived in India on January 30, 1925 and left India on April 10, 1925. From India he used to send weekly reports under the name of "Cochrane" and once wrote to "Richard" who was M N. Roy. His reports to British Party were edited and annotated by the Colonial department.

Photograph

"He visited various persons in India, collected information and even attended the A. I. T. U. Congress, and quietly departed." Mr. Kemp maintained that there could be no doubt as to his identity. The resemblance between his photograph in the passport and in the A I. T. U. C. group photo was conclusive, and Mr. Kemp compared the two and said: "I will be obliged if you could show any difference. Of course, no accused pretends to recognise him now."

In July 1925, at Amsterdam, various representative Communists met in Conference to decide about the work in India. Minutes of that meeting had been seized in the raid on C. P. G. B. headquarters. The Conference was attended by Sneevelit and Gertrude Hessler of the Dutch Party, Glading Robson, C. P. Dutt and Upadhyaya of the C. P. G. B., Khan from among the Indian Communists in Europe, and Roy on behalf of C. I.

Indian Programme

That Conference discussed the most effective methods of putting into practice the programme of the C. I. Mutual complaints were discussed and decided. Work was divided among various groups, e.g. Colonial Department of the C. P. G. B., Indian Bureau in London and the European Bureau of the C. P. I. The distribution and production of Communist literature was planned and methods were devised to transport them to India through sailors and cover addresses. The Communist International, it transpired in that Conference, had decided to send Mr. C. P. Dutt to India The Colonial Department of the C. P. G. B. had decided to summon a West and East Conference to devise a united

platform for fighting Imperialism. Among others Mr. N. M. Joshi, Mr. T. C. Goswami and Dewan Chamanlal had been invited to that Conference. Roy strongly objected to that project because the C. I. did not want to get into touch with such persons but with real revolutionaries. Dutt's answer was that those persons were only to serve as a screen to get their own people as delegates from the Colonies.

After that conference the work was carried on by the Colonial Department of the C. P. G. B. according to the plan decided upon.

Upadhayaya

Mr. Kemp then tabulated the evidence against N. L. Upadhayaya one of the alleged co-conspirators. In the cryptic correspondence of Spratt he was called "Pady." Scotland Yard witnesses knew him as the organiser of the Indian Seamen's Union in London which was organised under the auspices of the National Minority Movement. He was himself a member of the Communist Party of Great Britain. He was particularly active among Indian sailors in Britain and also conducted their study circles according to the Communist syllabus. Important conspiratorial letters, Counsel said, had been sent to India by Upadhaya himself through Indian sailors and two of them had given evidence in this case.

DOUGLAS MURDER TRIAL

Mr. Douglas, District Magistrate of Midnapore, was shot down on 30th April, 1932, while holding a meeting in the District Board room. The outrage was naturally followed by a number of arrests of youngmen, in this case of twenty one. Of this, four were discharged by the Additional District Magistrate and six were released on bail. The remaining eleven were remanded to custody, pending further enquiry and investigation by the Police.

Trial of Prodyot Kumar Bhattacharjee

On June 9, 1932, Prodyot Kumar Bhattacharjee, one of the accused arrested in connection with the murder, was put up before the Special Tribunal which was composed of Mr. K. C. Nag, District and Sessions Judge, Midnapore; Mr. J. De, I.C.S., District and Sessions Judge, Burdwan; and Mr. Bhujagendra Nath Mustafi, Additional District and Sessions Judge, Midnapore.

Case Against Prodyot

The accused Prodyot was charged, under Section 302 I. P. C. (murder), with having shot down, along with another, Mr. R. Douglas on 30th April, 1932 as described above.

A Deep-laid Terrorist Organisation

Before adducing evidence regarding the incident, Rai Bahadur R. M. Banerjee, the Public Prosecutor, wanted to make some general observations to show how the local Government were satisfied that the accused was a member of an organisation formed to murder Mr. Douglas; and, in course of his general preliminary remarks, the Public Prosecutor observed that there existed a deep-laid terrorist organisation in Midnapore.

Summing up, the Public Prosecutor said that the case against the present accused (Prodyot) was that he entered into a criminal conspiracy and abetted the murder of Mr. Douglas by his associate. That the accused acted in furtherance of that common object was proved by the fact that they were seen together at the time of occurrence behind the seat of the late Mr. Douglas in the District Board Building on April 30, and by the fact that they jumped down from the verandah after the shots were fired and were seen running away.

Accused Pleads "Not Guilty"

On June 4, when the Special Tribunnal resumed its sitting, charges were framed against Prodyot under Section 302 I.P.C, read with Section 120-B I.P.C.; (ii) Section 302 I.P.C., read with Section 34 I.P.C.; (iii) Section 302 I.P.C., read with Section 114 I.P.C. and (iv) Section 19-F of the Arms Act.

Of these, the first three related to conspiracy to commit and aiding and abetting the murder of the late Mr. Douglas and the fourth related to unlicensed possession of arms and ammunitions. The accused pleaded not guilty to all the four charges.

Judgment

Judgment was delivered by the Special Tribunal on June 25, 1932, convicting Prodyot Kumar Bhattacharjee under Section 302 (read with section 120-B) and Section 34 I. P. C. and sentencing him to capital punishment. No separate sentence was awarded for conviction under section 19-F of the Arms Act.

Mr. J. De, I.C.S., one of the Commissioners, differed on the question of sentence, holding that transportation for life would meet the ends of justice.

An appeal was subsequently filed in the High Court against the decision of the Special Tribunal, based on the dissentient judgment of Mr. De, which has not yet been disposed of.

MIDNAPORE POLICE TORTURE CASE

[illegible] of the Case

Phanindra Nath Das, one of those arrested in connection with the Douglas Murder Outrage at Midnapore on April 30, 1932, was alleged to have been "beaten almost to death by the police and lying in a precarious condition in the hospital." A petition was moved on his behalf by his father and, on his discharge from the hospital, he was produced by the Police, on May 21, 1932, before Khan Bahadur Moulvi Mahmud, the Additional District Magistrate of Midnapore, when he made a statement

Phanindra's Statement

Examined by the Magistrate, Phanindra stated that he complained against the police—one Chowdhury Sahib, a Daroga and three Sepoys, one of whose name he learnt to be Kaloo. They beat him mercilessly in the evening of May 3 in a small room at the Thana at Midnapore. Continuing, he said that he was hit on the eye with slippers and the black mark under his eyes due to the beating by the slippers was still visible Human excretions were forcibly put into his mouth and nose, and pin was forcibly thrust into one of his fingers The cloth he was wearing was full of blood, as also a bed-sheet He was given half a cloth by the police to wear in which also there were blood-marks.

Proceeding, Phanindra stated that, after thus beating him mercilessly, Chowdhury Sahib and the Sepoys left him there Another officer came and took him to the hajat He was taken to the hospital, probably the day after, and he remained there from May 4 till that day (May 21) He further told the Magistrate that, as a result of the beating his eye-sight had been affected and even then he could not see things at a distance He had been vomitting blood up to May 18 last

Judicial Enquiry

A Judicial enquiry was ordered by the Additional District Magistrate and an enquiry was held by Mr. W Islam, Special Magistrate Mr Islam, submitting his report (May 27) regarding the alleged Police assault, held that Phanindranath received injuries while struggling with constables during hysteric fits, remarking further that the mention of Sub-Inspector Chaudhury was an after-thought and similarly the allegations against the police to the Superintendent of Police and Civil Surgeon were not made immediately after the occurrence. The story of assault, according to him, was improbable, while the explanation given by the Police of the circumstances of injuries found support from facts.

Case Dismissed

The Additional District Magistrate passed orders in the case on June 13, 1932 dismissing the complaint under section 203 as no "prima facie" case had been established The Magistrate held that the uncorroborated testimony of the complainant was unreliable and that the Civil Surgeon examined by the prosecution disproved the complainant's case

Revision Petition Rejected

A petition was filed in the court of the District and Sessions Judge, Midnapore, for revision of the order of the Additional District Magistrate dismissing the complaint of Phanindra Mr J C Gupta, Counsel, arguing in support of the petition, said that his contention was that Phani was in Police custody wherefrom he was removed to the hospital with all the injuries on his person That circumstance alone coupled with the allegations made in the complaint of Phanindra made out a "prima facie" case for issuing a process Mr T J Y Roxburgh, the District and Sessions Judge, rejected (June 27) the petition for revision

SAVITRI DEVI'S TRIALS

Harbouring Proclaimed Absconder (1)

Mrs Jaffar Ali, alias Savitri Devi, an Irish lady, was charged with the offence of harbouring a proclaimed absconder, Yashpal, some time in the beginning of the quarter

In course of her written statement, she said —

"Before my arrest I was in charge of the Crosthwaite Girls College Infant Department as Montessorri Directoress I have been many years an educationist. I am absolutely guiltless. I did not know the man alleged to be Yashpal as Yashpal, nor the fact that he was a proclaimed absconder from Justice or was wanted by the police I did not harbour him with the intention of preventing his arrest. In fact, I had no suspicion of his real identity."

Mrs. Jaffar Ali then went on to say that she met a man named Ramnath in the train in the course of one of her trips to Delhi to see a dentist and that he told her he was an insurance agent and as she was also doing such work she invited him to Allahabad so that she might get some tips On the night of 22nd January at about 11 p.m.,

he came to Allahabad and she put him up. Accused said that she would not examine any defence witnesses.

Judgment

Mrs. Jaffar Ali was found guilty, by a unanimous verdict of the jury, of the offence of harbouring the proclaimed absconder, Yashpal, and she was sentenced to five years' rigorous imprisonment.

Charge under the Arms Act (2)

Mrs. Savitri Devi, who was already undergoing five years' imprisonment as described above, was subsequently charged under section 20 of the Arms-Act for alleged unlicensed possession of two revolvers and ammunition, said to have been recovered from her house following Yashpal's arrest at Allahabad on January 23, 1932.

Mrs. Savitri Devi, who pleaded not guilty, in the course of her statement in court on June 11, 1932, said:—

"I have committted no offence under the Arms Act. I neither possessed nor had any knowledge of the presence of any arms or ammunition of any description nor of any brass rod in my hat or among my belongings; nor have I ever handled such things. The attache case in which the police allege that they found a brass rod is not mine and I never saw the police find anyth ng of the kind from the room in my presence. In fact, I was never allowed to leave my seat and watch the search.

"The revolver fight that had taken place that morning proved too much for my nerves and I was stunned and amazed. I was the only person and the only woman in the house and the police took full advantage of this fact, and conducted the search in a most high-handed manner. I had no person to watch the search on my own behalf. The whole search was done in a most irregular and illegal manner. They gave no reason for the search, and had no warrant However, I offered no resistance when they came and they did whatever they wished to do.

"As regards arms and ammunition, etc., which the police allege they found in my flat, I have to emphatically say that they certainly do not belong to me. I have never dabbled in such things, and they were certainly not in the flat before. I felt very much perplexed when the police said that they recovered such articles from among the things in Room No. 2. It is true that I am a European and it is also true that I have a very great sympathy with the political aims of the people of this country, which is my country by adoption. I put on khaddar, and I have also hawked khaddar on special occasions. I am one of the devotees of Mahatma Gandhi, and to say that I dabble in revolvers and bombs would be giving a false colour to my political creed I have nothing to do either with such things or with people who deal with such things to-day I am not in such a frame of mind as to accuse anyone for the circumstances in which I find myself, but I boldly and frankly declare, in the most unequivocal terms, that I have been made the victim of most extraordinary circumstances. I know that I am innocent, and I hope that this court will also hold me innocent, and will vindicate my character."

The jury returned a unanimous verdict of "not guilty" with which Mr Brijbeharilal, Assistant Sessions Judge, agreed.

"JANASAKTI" SEDITION CASE

Facts in Brief

The Government of Assam demanded the sum of Rs. 1,000 as security from Bidhuranjan Chakravarti, publisher of "Janasakti," a Bengali weekly newspaper of Sylhet, for publishing an account in its issue of February 17 of the arrest and alleged ill-treatment of ten Satyagrahis at Karimganj on February 10 by certain policemen. The order in question was made under the provisions of the Indian Press Act of 1931 as extended by Section 63 of the Emergency Powers Ordinance 2 of 1932.

The petitioner's case was that it was published as a news item in bonafide belief in its truth without the least intention of any exaggerated account The Government, however, contended that the account of the arrest was false.

Judgment

Delivering judgment, Mr. Justice Panckridge said that in this matter the court had to decide whether the publication in question was of the nature described in Section 4, Sub-section (1) of the Press Act as extended by the Ordinance The portions of Section 63, on which the Standing Counsel relied, were that the account published was of a nature which "tends directly or indirectly to bring into hatred the Government established by law in British India or the administration of justice in British India or to promote feelings of hatred between different classes of His Majesty's subjects."

Applying this test his lordship observed that the allegation made in the publication was in respect of nine policemen, six of whom were constables and three officers. There was no suggestion that the misconduct of these officers was a part of a deliberate policy of repression. In fact there was no comment of any sort in the publication.

No Precise Test

The circumstances of the case before the court, continued his lordship, were not unlikely as in the case of Rajpal vs. King Emperor, 3 Lahore, p. 405, where a Special Bench of the Lahore High Court held that the statements that the police fired on a peaceful crowd, killing 15 and wounding 200, was not covered by the wide language of Section 4 (1) of the Press Act of 1910. It was not possible to lay down a precise test and his lordship did not desire to commit themselves to all the reasons given in that. In particular their lordships were not prepared to say that in no circumstances could an aspersion on any police officer tend directly or indirectly to excite hatred or contempt of the Government or of the administration of justice or to excite disaffection towards His Majesty's subjects.

It was sufficient for their purpose to say that the words used in the publication were not covered by clause (d) of Section 63 of the Ordinance.

Question of Promoting Class Hatred

It was suggested, proceeded his lordship, that clause (h) of Section 63 of the Ordinance might have some application In other words the account published might tend, directly or indirectly to promote feelings of hatred between different classes of His Majesty's subjects. In Rajpal's case it was contended that the police officials concerned constituted a class of His Majesty's subjects. Upon this, Chief Justice Shadilal observed that he did not think that one or two Inspectors or sub-Inspectors and a few policemen who happened to be employed in the particular place represented a section of His Majesty's subjects, much less a class thereof.

Their lordships considered these observations to be applicable to the present case and that it was not possible to hold that nine policemen constituted a class of His Majesty's subjects within the meaning of clause (h) of Section 63 of the Ordinance. In the circumstances it appeared to his lordship that the words contained in the newspaper in respect of which the order was passed were not of the nature described in Section 4, Sub-Section (1) of the Indian Press Emergency Powers Act of 1931, and accordingly their lordships set aside the order of the Government of Assam.

There was no order for costs The Chief Justice and Mr Justice Mitter concurred

"SIND HERALD" EDITOR'S TRIAL

Facts of the Case

The facts of the case in brief are that Mr. Jethmal Parsram, editor of the "Sind Herald," had been served with a warning by the District Magistrate of Karachi in respect of an article entitled "George Lansbury's Hopes" and again with an order under Section 4 (1) of the Emergency Powers Ordinance II of 1932, restraining him from publishing any matter in furtherance of the Civil Disobedience movement or any matter falling within the ambit of Section 4 (1) of the Indian Press (Emergency Powers) Act of 1931 as extended by Section 63 of the Emergency Powers Ordinance of 1932. Later on, he was tried and convicted in respect of two articles entitled "Doomsday Budgets" and "The Gujerat Mail" and sentenced under section 21 of the Emergency Powers Ordinance.

"A Free Man's Opinion"

An appeal was preferred against the sentence before the Judicial Commissioner. In the appeal, the Judicial Commissioner quashed the conviction in respect of the first article, "Doomsday Budget," and, disagreeing with the lower court's decision holding the publication of the above article as an offence, remarked that "in this article the editor enunciates a series of propositions. Of this the greater part I take to be true. But it is of no consequence whether they are true or false They are at least opinions which every free man is entitled to entertain, profess or defend" Quoting the offending words in the article, the Commissioner said, "A place in which a man may be imprisoned for the use of the words which I have quoted above would no longer deserve to be called a free country: and a law which would justify such imprisonment is a law, I, for one, would not administer."

The learned judicial Commissioner, however, took strong exception to the use of of three words, viz., "Ghoulish," "Hellish," and "Tortures," in respect of the Ordinances in the second article entitled "The Gujerat Mail."

Sentence Reduced

The Judge therefore held that the second article of the accused violated Section 63 (d) of the Emergency Powers Ordinance as it brought into hatred and contempt "the Government established by law or to excite disaffection towards the said Government." He, however, was of opinion that the previous sentence under Section 124-A, inflicted on the accused thirteen years back in respect of which he had been given a free pardon by the Secretary of State, should not be taken into consideration in assessing the quantum of punishment for the present sentence. He, therefore, reduced the sentence to that already undergone, viz., seven weeks, thus bringing about the release of Mr. Jethmal forthwith. In thus reducing the sentence of 18 months'

rigorous imprisonment and a fine of Rs. 1,000 imposed on Mr. Jethmal Parsram, the learned Judicial Commissioner (Mr. V. N. Freres) made some very strong remarks against the judgment of Mr. W. N. Richardson, who convicted Mr. Jethmal.

"INDIAN DAILY MAIL" SECURITY CASE

Facts in Brief

The "Indian Daily Mail" is a moderate paper unconnected with the Congress Party. It was not charged with incitement to violence. The charge against it, as summarised by the Chief Justice of Bombay, was that, by describing particular cases in which the Ordinances were applied ruthlessly and in which Magistrates were acting (as alleged) not as free judicial agents but as agents of the Executive, the Government and the Judiciary were brought into "hatred and contempt."

Appeal Dismissed

Dismissing the appeal, the Chief Justice remarked:—"It comes to this. There is no check on the Government as to the persons they may regard as suspects. Orders may be passed affecting drastically the conduct of such persons, that heavy punishment may be enforced for the breach of any such order and that the right of appeal or application and revisions which can be normally enjoyed by such persons is very largely curtailed." The Court also decided that under the Ordinances every charge of misconduct, whether such charge was well-founded or not, came within the provisions of the law.

The argument of the defence that the feeling of bitterness and contempt would result from the misconduct of the Government, not from the exposure of the misconduct, might be true. But whether true or not, to expose such misconduct was, under the Ordinances, an offence. The court had to decide a question of law, not of policy.

Critic's Observation

"Critic," writing in the "New Statesman" of London, remarked that the dismissal by the Bombay High Court of the appeal brought by the "Indian Daily Mail" was an event of the utmost importance.

Continuing the "Critic" concluded· "Any strong criticism of the Government, any exposure of any irregularity, such as Sir Samuel Hoare has himself admitted naturally occurs under the arbitrary rule of the Ordinances, is an offence against the Ordinances. The freedom of the Press is completely abolished. How does Sir Samuel Hoare square these facts with his statement: 'The action taken against the Indian Press had been taken with one purpose alone, namely, to stop incitements to disorder and terrorism, and not to trifle with expression of public opinion.'"

MINOR TRIALS

RAJSHAHI MAIL ROBBERY CASE

Facts of the Case

Biltoo, the Government mail runner, was attacked with a revolver near the Rajshahi General Post Office by some unknown persons. A number of youngmen were, as a result, hauled up; and on May 27, 1932, Rai Bahadur A. C Samanta, Special Magistrate, framed charges against accused Ramesh Chandra Debnath under sections 120-B (criminal conspiracy), 392 (Robbery) read with section 397 (Robbery or dacoity with attempt to cause death or grievous hurt); against Birendra Chandra Ray, Malayabihari Biswas and Chittaranjan Biswas under section, 120-B and 392; against Chittaranjan Biswas and Jitendranath Khan under Section 120-B, I.P.C. The accused pleaded not guilty.

Judgment

Mr. A. C. Samanta, Special Magistrate, delivering judgment, sentenced Chittaranjan Biswas, whom he described as the "leader and organiser of the conspiracy," to 4 years' rigorous imprisonment, Rames Chandra Debnath and Biren Roy to 3 years' rigorous imprisonment each and Jitendranath Khan to two years' rigorous imprisonment. Malaya Biswas was acquitted, but was re-arrested under the Bengal Criminal Law Amendment Act.

KANDI BOMB CASE

Facts of the Case

Nikhil Ranjan Guha Roy, Madhu Sen Gupta, Shiba Daw and Ramphal, "alias" Umapada, were charged in connection with the alleged throwing of bombs at the Bungalow of the S. D. O. of Kandi (Murshidabad), Bengal.

The fifth accused Kamala Kanta Das turned approver. Charges under section 4 and 5 of the Explosive Substances Act were framed against Madhu and under Section 6 of the said Act against the other accused.

Approver's Story

In course of his deposition, the approver, Kamala Das, a boy of 18, said that an athletic club was started in Kandi town which was joined, among others, by the accused

Madhu and Shibu (identified), and where, after physical exercise, they discussed methods of attaining independence. Madhu Sudan, who usually took the leading part, would hold that, without revolution (for which purpose bombs, guns, etc. were necessary), there was no chance of getting independence. Accused Nikhil Roy used to join him. About eight days after the Club was started he went to Bharatpur to Nikhil's place with a stranger whose appearance, he said, was dark and tall and who came with Madhu Sudan. That gentleman talked about revolution and attempts were made to recruit new members. Subsequently, when the Club broke up, Madhu Sudan said that the S. D. O. was responsible for that and that they would take revenge with a bomb which Nikhil was requested to prepare. Further efforts to restart the Club proved abortive.

Describing in detail how they conspired and prepared "patkas" (country-made bombs), the approver said that Madhu, Nikhil and the other accused as well as a stranger joined in the conspiracy. None of them entered the garden of the S. D. O., but three bombs were thrown from outside by the approver, Madhu, and the stranger respectively, all of them exploding there.

Argument Concluded

The hearing the case was concluded on June 27, 1932 before Mr H. G. S Bivar, I. C. S., Special Judge, under the Emergency Powers Ordinance, when July 2, 1932 was fixed for the delivery of the judgment.

MANICKTALA ARMED DACOITY CASE

Previous History

The facts of this case is well known A raid was made on a guddee in Canal West Road, Manicktala, Calcutta, on October 2, 1931 by some unknown youngmen. The raiders were chased and the chase was followed by the arrest of three youngmen, named Kalipada Ray, Dhirendra Nath Chaudhuri, and Narahari Sen, and Sm Bimal Protiva Devi who were found in a disabled motor car under suspicious circumstances. The three youngmen and Sm. Bimal Protiva Devi were tried by a Special Tribunal at Alipore on a charge of dacoity. Sm. Bimal Protiva was acquitted but Kalipada and Dhiren and Narahari were convicted and sentenced as follows: Kalipada and Dhiren to five years' rigorous imprisonment each, and Narahari to three years' rigorous imprisonment. Kalipada, Dhiren and Narahari appealed to the High Court The hearing of the appeal continuing up to the end of April, 1932, it is naturally dealt with here.

Appeals Dismissed and Sentences Confirmed

The appeals, which were heard by Mr. Justice C. C. Ghose, Mr. Justice Panckridge and Mr. Justice Patterson were dismissed and the sentences confirmed.

Delivering judgment, Mr. Justice C. C. Ghose said that "the direct evidence along with the evidence of the witnesses who were able to affect arrest led one to conclude that the case against the two accused, Kalipada and Narahari, had been proved to the hilt, and one could say with certainty that it was demonstrably true. With regard to Dhiren also, their lordships were constrained to hold that the case against him had been proved to the hilt and there was nothing to be done except to affirm his conviction and sentence.

PATNA POLITICAL CONSPIRACY CASE

The case originated in June, 1931, when Sub-Inspector Ram Narayan Singh was killed by a bomb explosion in Patna City. Judgment was delivered in the local jail by Mr. H. R. Meredith, I.C.S., Additional Sessions Judge, on April 18, 1932 There were originally eleven accused of whom two turned King's evidence. Of the remaining, seven were found guilty by some or all the assessors.

Sentences, under section 121-A, I.P.C., read with other sections of the Penal Code and the Explosive Substances Act, were passed as follows by the Judge:—

Surajnath Chaube was sentenced to death, Rai Mahendra Prasad, Shamkrishna Agarwal, Shamdeo, Ganga Mali and Kanahi Misir were sentenced to transportation for life and Mahabir Misra to seven years' rigorous imprisonment. The accused Chandeshvari Pande and Tunnu Goala were acquitted.

SEDITION CHARGE AGAINST DR. J. M. DAS GUPTA

The prosecution was based on his presidential speech delivered at a public meeting held under the auspices of the Burrabazar Congress organisation in Halliday Park on December 19, 1931. The speech in question referred to the incidents at Hijli, Dacca and Chittagong and also the political situation in Bengal.

After a protracted trial of more than six months, on May 13, 1932, Dr. Das Gupta was found guilty under section 124-A, I.P.C. (Sedition) and sentenced to nine months' simple imprisonment and a fine of Rs. 300, in default another three months' similar imprisonment by the Hon'ble S K. Sinha, Chief Presidency Magistrate, Calcutta.

Ad interim bail was moved before Justice Mallik and Remfry. It was granted. Dr. Das Gupta was accordingly released on bail prior to the filing of appeal. The appeal, which was filed, has not been heard yet.

NEWS OF THE QUARTER

BURMA ELECTORAL ROLLS

The present electoral rolls of the Burma Legislative Council were first published on 1st September, 1931 and were prepared during the two months preceding the publication, when active rebellion was widespread in the districts having a large qualified electoral population. Now, as the rebellion was practically ended, fresh electoral rolls were considered essential to give all qualified voters an opportunity to record their opinion at the forthcoming elections.

Representations were therefore made to the Government of Burma that the electoral rolls, prepared in 1931, did not contain the names of qualified voters who were "boycotters" of the Legislative Council, and that, in view of the importance of the forthcoming election, fresh electoral rolls should be prepared. The Government, in a communique dated May 7, informed that they did not propose to order the preparation of fresh electoral rolls; that it was open to any one, whose name had been omitted from the roll and who considered that he was qualified for a vote, to apply to the enrolling officer for the amendment of the roll by the entry of his name; that time would be allowed up to 15th June, 1932, for the receipt of such applications; and if the enrolling officer was satisfied that the roll needed amendment, the Government would direct the preparation of a list of amendments.

This decision was considered unsatisfactory in political circles. U Chit Hlaing and U Su, both delegates to the Round Table Conference, and U Soe Thein, President of the Anti-Separationist General Council Association jointly represented (June 13) to the Burma Government, urging the preparation of fresh electoral rolls on the ground that mistakes had occurred therein. They also sent the following cablegram to the Secretary of State for India:—

"The Burma Government's notification dated 7th May, permitting qualified voters omitted from the present rolls to apply to the enrolling officers for the necessary amendments, is utterly useless for several reasons, the principal reason being that the enrolling officers at the head-quarters are, owing to distance and expense, inaccessible to village voters who form an overwhelming majority. One qualification for voters is the payment of at least Rs. 5 as thathameda or capitation tax. This tax has been reduced by 25 per cent. from the 1st January as a temporary relief measure. In preparing fresh rolls, this reduction should not be allowed to affect the qualification of voters, as it would deprive a very large section of the population of the vote. The above steps are absolutely essential for obtaining the real opinion of the country on the separation question. Please take necessary action."

Replying to this joint representation, the Government, in a communique (June 20), stated that there was no substance in the representations. No evidence had been offered supporting the assertion of mistakes in the rolls prepared last year which was substantially correct. Nothing more was required than to afford facilities for rectification of omissions and other mistakes.

The General Council of Burmese Associations also pleaded with the Burma Government that as the members and sympathisers of the Association had, in the past, boycotted the Legislative Council and its election, numerous qualified voters had not been enrolled and that to enable a proper verdict being obtained from the electorate on the question of separation, fresh electoral rolls should be ordered. Sir Charles Innes' Government was understood to have replied to the Association, declining to accede to their request.

A suggestion that new electoral rolls should be drawn up for Burma was made by Mr. David Grenfell (Labour) in the House of Commons.

Sir Samuel Hoare replied that the present rolls, when amended by the inclusion of any additional persons possessing the necessary qualifications, would be no less complete than the rolls prepared afresh on the same qualifications.

EDUCATIONAL

NEW CURRICULUM FOR MATRICULATION EXAMINATION

The Committee appointed by the Senate of the University of Calcutta in December, 1931 to examine the existing regulations for the Matriculation examination made a number of recommendations of far-reaching importance. The Committee unanimously recommended the conduct of examinations in all subjects, other than English, through the medium of one of the following vernaculars, Bengali, Urdu, Assamese or Hindi.

The decision of the Committee recalls the controversy that was started in the year 1813 between "Orientalists" and "Anglicists," as they had become known then, the former advocating the development for the indigenous system of education and the imparting of instruction through the medium of the vernacular and the latter supporting the idea of introducing the system of Western education through the medium of English. In the year 1833, when Lord Macaulay came to India as Law Member, he threw his whole weight on the side of the Anglicists and in his despatch stated that a single shelf in a good European library was worth the whole literary store of India and Arabia. Lord Bentick's Government, by a formal resolution in 1835, set the seal on Lord Macaulay's proposals. The first attempt to restore vernacular to its rightful place was made by the late Sir Ashutosh Mookerjee.

Regarding the controversy which raged over the proposal to omit classical languages from the list of compulsory subjects for the Matriculation standard, the Committee recommend the retention of classical languages in the list of compulsory subjects.

Another change suggested by the Committee is that besides English, Vernaculars, Mathematics, and one classical language History, Geography and Elementary Science should be included in the list of compulsory subjects for the Matriculation standard.

The Committee suggest an increase in the number of optional subjects by including such subjects as Biology, Indian administration, etc., of wh ch at least one and not more than two are to be taken up by the students. Music and Domestic economy have been suggested by the Committee as optional subjects for girls.

The new syllabus was proposed to come into force from June, 1937

STATE FACULTY OF AYURVEDIC MEDICINE

Two conferences were held at the Writers' Building, Calcutta to work out a scheme to establish a Council and State Faculty for Ayurvedic Medicine for Bengal. The Minister-in-charge for Public Health was in sympathy with the object of the conferences. Eminent Kabirajes of the city attended the conferences.

It was decided in the conferences that the proposed Council should consist of not less than 25 members, who should be the representatives of the registered Kavirajes of the province, universities, the Corporation of Calcutta and other allied interests.

It was further decided that for the first term the representatives of the Kabirajes should be nominated by the Government but later they would be elected by the registered Kabirajes of the province. The Registrar of the Faculty Council was decided to be a non-Kabiraj official.

It is understood that the whole scheme is still receiving the consideration of the Government of Bengal.

DEPROVINCIALISATION OF GOVERNMENT SCHOOLS

An informal meeting of the educationists of Bengal took place on May 12, 1932 to discuss the deprovincialisation of Government schools in the province Among those present were.—The Vice-Chancellor of Calcutta University, Mr. K. Nazimuddin, Minister for Education, Sir Jadu Nath Sarkar, Mr. Shyma Prasad Mukerjee, Mr. C. C. Biswas, Father Roeland, Dr. R C. Majumdar, Principal, Serajgunj Inter-Islamic College and Mr. Abdul Karim, Secretary of the Education Department, the Director of Public Instruction and one member of the Bengal Educational Department

The following were resolutions adopted at the conference:—

(1) While the Conference recognise that Government High Schools serve a useful purpose in attaining a reasonably high standard in academic work, discipline and general control, they are of opinion that for the purpose of raising the general level of high school education in Bengal, deprovincilisation should be adopted as a policy by Government and brought into operation as soon as possible provided that (a) it is guaranteed that the whole of the money thus set free is available for the improvement of high schools in the province and (b) an acceptable scheme is devised for ensuring this improvement.

(2) The Conference are of opinion that in order to achieve this improvement action upon the following lines is necessary:—

(a) Equitable re-distribution of schools throughout the province involving the elimination of unnecessary and inefficient schools, the amalgamation of some schools and, where necessary, the creation of new schools, (b) such action as will guarantee that no schools will be affiliated in future as are likely to lower the general standard of efficiency, (c) the establishment of satisfactory local control and management, (d) the adoption of a satisfactory policy regard ng the distribution of the grants-in-aid and rules in relation thereto, fees, and the appointment, salaries and security of tenure of teachers, etc.

(3) As many of the questions involved in deprovincialisation are difficult and require detailed investigation, the conference request Government to take such steps as they think fit to have the above aspects examined and definite scheme prepared, for consideration by a representative committee.

(4) The Conference are of opinion that without deprovincialisation it will not be possible by merely cutting down expenditure on the administration of Government schools, to obtain sufficient funds to achieve that improvement in secondary education which is necessary; they therefore recommend that if it is not possible to carry out the policy of deprovincialisation, additional funds should be provided for distribution as grants-in-aid under suitable conditions to non-Government schools.

(5) They are further of opinion that if Government retain direct administration of any schools, those schools should be made schools in every sense of the word.

PHYSICAL EDUCATION IN BENGAL

The Government of Bengal intend to put in operation a scheme of physical education very shortly. The scheme aspires to build a central co-ordinating body for the training of educated sportsmen in Bengal. The Government Training Centre in Physical Education will be located in Calcutta and Mr. James Buchanan, Physical Director, Government of Bengal, assisted by a suitably qualified staff will act as the Principal of the institution. The course of training which is for young graduates will be for one year, and the subjects to be taught will include anatomy, physiology, education and psychology (under special lecturers) and the practical application of these to gymnastics, major and minor games, swimming and life-saving, athletics, massage and remedial exercises. The training of students begins on the 1st July of each year and will continue up to 31st March of the following year. A diploma will be awarded to students who complete the course satisfactorily. A certain number of students will be awarded Government scholarships while a certain number of places will be kept reserved for teachers deputed by by schools and colleges. The Physical Director is also ready to assist private clubs of which were are about 300 in Bengal by visits or correspondence.

RIOTS AND CRIMES

RIOTS AT DADAR, BOMBAY

An unexpected Hindu-Moslem clash occurred on April 20 at Dadar, Bombay. The trouble arose over the Hanuman Jayanti celebrations at the Hanuman Temple situated near Amshedji Road. A small mosque had been recently constructed in the neighbourhood of the temple and Muslims objected to Hindus having Bhajana in the temple They wanted perfect silence to be maintained as prayers were going on in the mosque. The Hanuman-worshippers were not in a mood to suspend their celebrations. Moulana Shaukat Ali and other Muslim leaders arrived and opened negotiations with the Hindus. It was agreed that there should be no music during the morning hours, when prayers were going on in the mosque. The Muslim crowd did not accept that. Lorries containing Muslims poured into the area from various parts of the city. Sir Patrick Kelly, Commissioner, dashed to the spot with armed police. Shortly after midnight, throwing of brickbats commenced. As the mosque was only recently completed, there were plenty of brickbats in the compound. The Hindus retaliated. Sir P. Kelly ordered a lathi charge, but this failing to have any effect, fire was opened resulting in one sustaining a bullet wound. The mob then began to melt. Armed police patrolled the area. The Jayanti celebrations were hurried through

On the following day the palkhi procession on way to Hanuman temple was stopped on Tilak Bridge at midnight by a party of police. The order to disperse was given under the City Police Act as the process on had no police permit. On the processionists' refusal to disperse, a lathi charge was ordered injuring a number of persons

THE GREAT BOMBAY RIOT

A communal disturbance of a very serious nature broke out in Bombay on May 14, 1932. For several days together an orgy of disorder and bloodshed raged in many localities of the city Loot, arson and incendiarism of the most inhuman type disgraced the city Innocent people and unwary passers-by were done to death most brutally because of their owing allegiance to a religion which the rioters did not profess. Hooliganism let loose took its toll of life and property. Indiscriminate assaults and stab wounds were committed in cold blood, causing serious injuries and numerous head-breaking; temples and mosques were set on fire; rioters in disguise stalked the streets to fly at the earliest opportunity at the throats of those subscribing to a different faith; free fights between the Hindus and Moslems took place on the streets; shops and houses were looted and valuable articles lay scattered on the roads; the mill-hands taking contagion absented themselves from the mills and took part in the engagement; tram cars and motor cars were help up by the riff-raff elements and the passengers maltreated; business came to a dead stop. Effective police measures such as the rounding up of mawalis and goondas of ill repute, patrolling in armoured cars by military forces through the main thoroughfares, posting of sepoys at the strategic points, opening of fire to disperse rioters, announcement of curfew orders, brought the situation under control after ten days

and the city resumed its normal activities. But before long there was a recrudescence of the outarges: stabbing and lathi assaults were again in strong evidence in the city. Patrolling and stringent measures provided temporary check to the smouldering communal jealousies and peace continued to be disturbed by stray assaults, assasinations, stab wounds and head-breaking from time to time on the slightest provocation. A tense feeling and nervousness existed, and, despite all the conciliatory activities of the prominent citizens belonging to both the communities and the police precautions in the affected areas, there was no knowing when there would be an end of this unfortunate fratricidal warfare. Though the fury of the bloody feud subsided, sporadic outbursts of incendarism continued to play havoc to the end of June.

The fracas developed out of a trivial incident. It is officially reported that the trouble originated with the refusal of Hindus to contribute alms for the taboots to some Mahomedan boys who were collecting money for the ensuing Muharram. It appears that when the boys went to the house of the Mooltanis (Sindhi Hindus) in Nagdevi Street and asked for money, the latter refused Evidently annoyed at this the boys behaved rudely, the Mooltanis assaulted the boys and turned them out. On hearing this, a crowd of Muslims came to the spot, but they were surprised by a shower of sodawater bottles from above resulting in a few Muslims being injured. This infuriated the Muslims who retorted by attacking the Hindus on the road The trouble soon spread to Crawford Market, Bhendi Bazar and Mohamed Ali Road where stones were thrown at tramcars by the Moslem crowds and stray Hindu passers-by were attacked. The venue gradually shifted to the mill area and the Hindu residential locality in the northern quarters and for several days the city was the scene of bloody communal battles which took an unusual toll in casualties. The history of the unhappy strife is best told by the following table showing the number of persons killed and injured from day to day.

	Killed	Injured	Death from previous injuries
May 14	4	96	—
„ 15	29	346	—
„ 16	31	400	—
„ 17	32	257	10
„ 18	21	158	9
„ 19	6	136	14
„ 20	2	53	13
„ 21	1	1	2
„ 22	1	7	2
„ 23	0	1	—
„ 24	0	0	—
„ 28	1	20	—
„ 29	6	63	—
„ 30	3	30	—
June 5	1	13	
„ 29	1	100	
„ 30	4	50	

Up to June 30 the casualtics include 184 killed and 2,077 injured Besides this the disturbance extracted a heavy toll in loss of property. Hundreds of shops were looted and the contents wantonly destroyed; the loss to the mercantile community due to the dislocation of business can be more imagined than computed.

RIOT AT PINDARI

A serious communal riot broke out at Pundri, a small town in Karnal District. The trouble, which had threatened to break out at the last Id but was at that time composed, broke out on June 2.

It was stated that several weeks ago, during a quarrel between Sunnis and Shias. a slaughter-house had been demolished, but soon after the Shias and the Sunnis made up their differences and an application was made for the re-erection of the slaughter-house. The question became acute shortly before Id and the rebuilding was postponed. It appeared that on June 2 the Muslims began rebuilding, when the Hindus were said to have applied to the civil court for an injunction. The date fixed for hearing was June 6,, but on June 2 the Hindus attacked the Muslims with chavis and lathis and demolished a portion of the wall that was constructed. Three Muhammedans were killed and 23 wounded, of whom eight were said to be grievously hurt. The local authorities immediately sent an additional police force and promulgated Section 144 Cr. P.C. and calm was soon restored.

RIOT IN ALWAR

The Mohurrum procession passed off quietly in Alwar on May 17, 1932 and the Shri Ganjaji's procession on May 18, 1932 also passed off successfully with 20,000 people

mostly consisting of Chamars, sweepers and people of the Sudra castes, who installed the "Murti" in a new temple. The next evening a Chaddar procession was carried out by the Moslems to the tomb of Hazrat Mubarik Ali. During the last procession a quarrel arose on a very insignificant matter between a Hindu and a Moslem and assumed the form hitherto unknown in Alwar. At 9 p.m. on that day, a communal riot took place and the military had to be summoned. The crowd defied the military who then, after warning, fired three shots. The total killed in the rioting was three and the number of the wounded was thirty-nine. Only one was wounded as a result of the firing by the military. The police and military patrolled the streets for 4 or 5 days, and the situation was well under control.

A clash between armed Moslem and Hindu processionists occurred again on May 29 when the former surged forward fearing an attack from the rear by the State Cavalry and in so doing knocked down an Infantry officer. The officer fearing a rush at the troops by the crowd ordered four shots to be fired, resulting in the death of two Moslems. Another died as a result of a sword-wound following a street fighting. Thirty were reported to be wounded. The whole incident took an hour, when order was restored.

A Committee of inquiry consisting of one Mahomedan, one Hindu and another as president has been appointed to report on the causes of the riots.

RIOT IN RAMNAD

As a sequel to serious rioting between Nadars and Moslems in Mamuthi village, Ramnad district, on May 24 and 25, 1932, the curfew order was issued there enjoining the people to remain in their houses after 9 p.m. There appeared to have been friction between the communities and rioting which had occurred on 2nd May, when one Mahomedan was alleged to have been murdered, had increased the tension between them. On the afternoon of 24th May about a hundred Mahomedans rushed into the Nadars' streets breaking the tiles of the roofs causing damage to their houses. The reserve police arrived on the scene and dispersed the Mahomedans by lathis. The situation was brought under control and reserve constables were posted in street corners, but fresh rioting occurred the next day when the police again resorted to lathi charge.

TERRORIST ACTIVITIES

Midnapur Outrage

Mr. R. Douglas, District Magistrate of Midnapore, was shot about 5-45 p.m. on April 30, 1932 while presiding over the District Board meeting. Six shots in all were fired at him. One hit him in the arm, another in the chest and the third in the abdomen. Three shots missed aim. Despite medical aid Mr. Douglas died in hospital that night.

It was reported that while Mr. Douglas was seated at the District Board Office signing papers as the Chairman of the Board, suddenly a revolver shot rang out quickly followed by five other shots. All were aimed at Mr. Douglas, three or four hitting him, the shots being fired from a range of four yards.

It was evident that there were two assailants who dashed outside across the office garden with Mr. J. George, I.C.S., Sub-Divisional Officer of Tamluk, pursuing them with a revolver in his hand. One of them escaped, but the other was ultimately caught in a dilapidated hut, after falling over a bush. The captured man had a revolver in his hand. The youth who was handed over to the police was Prodyot Kumar Bhattacharji. He was given permission a few months ago to learn typewriting in the District Board Office. His brother is a local doctor and he is also related to a local pleader.

S. I. of Police Shot at Jhajha

Acting on information that a person was travelling in the Sealdah-Delhi Express on April 4, 1932 with an unlicensed revolver, Sub-Inspector Mazhar Hussain of the Railway Police entrained at Jasidhi, and when the train stopped at Jhajha, the next station, entered a third class compartment which was pointed out to him by a Bengali informant. The Sub-Inspector questioned him whether he possessed a revolver and the requisite license. The man admitting possession whipped out a loaded revolver from his pocket and fired five shots in quick succession, killing the Sub-Inspector outright and seriously injuring the informant. Subsequently, he shot himself dead. Although the identify of the assailant was not definitely established, it was suspected that he was Sital Prasad, an ex-policeman at Alipore, who later was reported to have joined the anarchist ranks. The name was tatooed on the forearm of the assailant.

Shots Fired at Commissioner of Ajmer-Merwara

Mr. E. C. Gibson, Commissioner, Ajmer-Merwara, was attacked by a youngman at noon on April 25, 1932 while coming out of the office of the Superintendent of Police along with Khan Saheb Syed Ahmed, City Inspector. The assailant, Ram Chandra Bapat, fired five revolver shots at the Commissioner at two yards' range but they all missed their mark. Mr. Syed Ahmed caught hold of the revolver from behind and the assailant was overpowered and arrested.

Rajbari Station Outrage

A bomb was thrown at the District Magistrate, Rai Bahadur Suresh Chandra Bose, and the Superintendent of Police, Mr. Habibur Rahman, at 8 o'clock on June 12, 1932 just as the train left Rajbari station on the Eastern Bengal Railway for Faridpur. The bomb missed the officials and hit the next compartment which was empty, smashing the wood-work and the windows. The officials were unhurt and reached Faridpur safely. The assailant was not traced.

Mr. K. P. Sen Shot Dead

Mr. Kamakshya Prasad Sen, Special Magistrate, Munshiganj (Dacca) was shot dead by an unknown assailant at four o'clock in the morning on June 2, 1932. Mr. Sen was on a visit to Dacca and was staying with Mr. S. N. Chatterjee, Sadar Sub-Divisional Officer, at Wari. Mr. Sen had retired to bed as usual after meal but at about four o'clock the household woke up at the report of a number of shots. Mr. Chatterjee came down immediately and found Mr. Sen dead with his body riddled with bullets, two passing through his chest and one through his stomach.

It appeared that the assailant had entered Mr. Sen's room through a window, raised the mosquito-curtain and fired from a very close quarter

Deoli Camp Raid

In the small hours of the morning on June 30,1932 four young men believed to be Bengalis approached near the jail gate whereupon one of the warder, fearing that the young men might break the jail entrance, fired at them which resulted in one of the youngmen being wounded. The youngmen retaliated and fired at the warders as a result of which one Gurkha warder sustained slight injuries. Police pickets were immediately posted on the road leading from Deoli to Delhi and vigorous search was carried on in the vicinity. But the youngmen remain still untraced

SUICIDE INCIDENT AT DEOLI

The following communique was issued by the Bengal Government regarding the suicide of Mrinal Kanti Roy Chaudhury, a Bengal detenu in Deoli Jail (Ajmere-Merwara) :—

"On the morning of the 4th June 1932, Mrinal Kanti Roy Chaudhury, a detenu under the Bengaal Criminal Law Amendment Act at Deoli Jail (Ajmere-Merwara) complained to the Superintendent of Jail of insomnia and worries due to persecution and threats by fellow detenus, who suspected him to be a police spy. He had tuberculosis in an incipient form and appeared to be very depressed. On his request to be removed outside the jail he was at once given separate quarters outside the jail. He was placed under medical treatment and was shown every other possible consideration. He had a good sleep at night and on the morning of the 5th June appeared to be quite normal. He was, however, insistent that he should not be sent back among other detenus as he feared death at their hands. He was assured by the Superintendent that he would not be sent back among them. He was found to be quite well at 2-30 p.m. but at 4-30 p.m. he was discovered hanging from the window of his room. An inquest was held by a First Class Magistrate, who gave verdict of suicide by neck being broken "

FIRING AT DEWANGANJ

Two persons were killed and several injured as a result of police firing on the procession taken out on April 11 last at Dewanganj in celebration of the "Chaitra Sankranti Gajan" and mela, the villagers refusing to comply with the order to disperse on the ground that it interfered with their religious custom. According to the official statement, the procession was not allowed to cross the Gajantala bridge as according to custom only "Sannyasis" are allowed to cross the bridge for collecting fruits from the Samar tree for Puja purposes. About 50 of the processionists (non-Sannaysi) wanted to go to the Samar tree and, when obstructed, threw down the hat of the Sub-Inspector. The Sub-Inspector was wounded in his attempt of pick up the hat, and some of the processionists surrounded him and asked him to go away.

The police was about to leave the place when some of the processionists pushed down another, Panchanan Panja, upon the police. He received wounds in his head. At this, the crowds got enraged and the police left for Dewanganj. At Dewanganj, the police took shelter in Ekkari Saha's shop A crowd of about 300 to 500 people was reported to have assaulted them and began throwing stones in the shop. They caught hold of constable Indra Sing, who however managed to make himself free. The situation getting serious, Indra Sing fired a blank shot but, which having proved ineffective, he again fired six rounds and constable Gourisankar Ojha also fired two rounds, whereupon several were wounded. The total number of deaths in this connection is five.

CRIME WAVE IN BENGAL

Reports of daring dacoities were received from the districts in Bengal during the quarter under review. A crime-wave seemed to pass over Bengal. Armed robberies

were committed in towns and villages and even in running trains. The mail sorter in the Down Cawnpore-Allahabad Passenger train was stabbed on April 14, 1932 near Allahabad. A serious armed dacoity took place on May 13, 1932 in the A. B. Ry. The train was proceeding to Dacca when several bags containing Rs. 32,500 were taken away at the proceeding to Dacca when several bags containing Rs. 32,500 were taken away at the point of revolvers. Daring outrages were committed in the Down Siliguri-Issurdi Passenger, near Nilphamari and another in the Dacca Mail, near Chuadanga. Sj. Anil Kumar Das, M.Sc., an accused in the Dacca Train Robbery Case, whose allegations that he had been maltreated by the police while in the Lalbag Thana had been recorded by the Court, died in the jail lock-up on June 17.

An epidemic of destroying letters in post-boxes broke out in all its virulence in all parts of India. Letter-boxes were tampered with and the letters were damaged with sulphuric acid and other combustive substances.

LABOUR

TRADE UNION MOVEMENT

In view of the growing opinion that the All-India Trade Union Congress and the All-India Trade Union Federation should be amalgamated in the interest of Indian labour, a committee was set under the chairmanship of Mr. Jamnadas M. Mehta in May, 1931 to explore the ways of bringing about the consummation. The following were the proposals of the Trade Union Unity Committee for the 'Platform of Unity.'

I. A trade union is an organ of class struggle; its basic task therefore is to organise the workers for advancing and defending their rights and interests; and although labour and capital cannot be reconciled in the capitalistic system, collective bargaining is the necessary implication of a Trade Union and in the transitional period to Socialism, negotiations, representations and other methods of collective bargaining must remain an integral part of Trade Union activities.

II. The Indian Trade Union movement shall support and actually participate in the struggle for India's political freedom from the point of view of the working classes. This would mean the establishment of a socialist state and during the interval socialisation and nationalisation of all means of production and distribution as far as possible

III. The Indian Trade Union Congress stands for:—(i) Freedom of Press, (ii) Freedom of Speech, (iii) Freedom of Assembly and (iv) Freedom of Organisation.

IV. The immediate demands of all the Trade Unions shall be:—

1. A statutory enactment providing six hours working day. 2. Minimum wages guaranteeing all workers an irreducible standard to be fixed after investigation. 3. Weekly payment of wages wherever the workers demand it. 4. Equal wages for equal labour without racial or sex discrimination. 5. One month's leave a year with full pay. 6. Unemployment, sickness, old age and maternity insurance at the expense of the employers. 7. Better housing and working conditions for all workers. Compulsory housing accommodation for employers of State and Public Bodies, rent not to exceed 10 per cent. of the wages. 8. Formation of elective workers' committees in factories, workshops, business houses and all other places where collective work is performed with a view to control the conditions of work inside those places. 9. Abolition of the employment of children under 14 years of age. 10. Abolition of the employment of women for six weeks preceding and six weeks after child-birth. 11. Abolition of all other systems of recruiting labour except through Trade Unions. Abolition of the system of indentured labour as in the plantations. 12. Abolition of fines imposed by the employers, be they private individuals or Government. 13. Abolition of the employers' control over the Provident Fund of the employees.

V. In order to realise the ideal and the immediate demands as stated above it is essential to have a central organisation through which energetic, ceaseless and well co-ordinated propaganda could be carried on by means of mass meetings, negotiations, demonstrations and, in the last resort, strikes. But in order that this programme can become effective, the internal organisation of the Trade Unions should be made as perfect as possible.

VI. The Trade Union Congress should consider whether an experiment should not be made for three years or more by affiliating the Congress to the International Federation of Trade Unions at Amsterdam; the final decision to be reached in the light of the result achieved.

VII. No representative of the Trade Union should accept nominated seats in the Central or Provincial Legislatures nor serve on any official committee or commission except when such nomination is in pursuance of a prior election by the Trade Union Congress or a subsequent ratification by its Executive.

VIII. The Trade Union Congress should send delegates to the International Labour Conference held under the auspices of the League of Nations, such delegates to be elected by the All-India Trade Union Congress.

CHILD LABOUR IN INDIA

The Sixteenth Session of the International Labour Conference which opened at Geneva on the 12th April, 1932, closed on the 30th April, 1932 after having taken definite and positive decisions on all the questions submitted to it. The Indian Delegation to the Conference was composed as follows:—Government Delegates: (1) Sir Bhupendra Nath Mitra, High Commissioner for India; (2) Sir Atul Chatterjee. Adviser to Government Delegates:—Mr A. Dibdin, India Office. Secretary to the Delegation and Adviser to Government Delegates:—Mr. K. R. Menon, I.C.S. Employers' Delegates:—Mr. R. K. Shanmukham Chetty, M.L.A. Workers' Delegate:—Diwan Chaman Lal, Bar-at-Law.

The Conference adopted a new draft Convention on the protection of children which, in conjunction with the Conventions of 1919, 1920 and 1921 on this subject, will prohibit children below 14 being employed in any undertaking whatever. Hitherto this minimum age of 14 applied to work in industrial undertakings, in agriculture and at sea; henceforth it will be extended to all the other groups of occupations described under the general title of "Non-industrial occupations."

The provisions of Articles 3, 4, 5 and 7 of this Convention shall not apply to India. But in India :

1. The employment of children under ten shall be prohibited (a) in shops, offices, hotels, restaurants and places for the sale of drink; (b) in places of public entertainment; (c) in street trading; (d) in any other non-industrial employment to which the provisions of this paragraph may be extended by the competent authority.

Provided that in the interests of art, science or education, national laws or regulations may, by permits granted in individual cases, allow exceptions to the above provisions in order to enable children to appear on the stage, in cinematographic films and in other public entertainments.

The minimum age prescribed under this article shall not be less than that laid down in national laws or regulations as the minimum age for the admission of children into factories not using power, and which are not subject to the provisions of the Indian Factories Act.

2. Persons under fourteen years of age shall not be employed in any non-industrial employment which the competent authority after consultation with the principal organisations of employees and workers, may declare to involve danger to life, health or morals.

3 National laws or regulations shall provide for the due enforcement of the provisions of this article and in particular shall provide penalties for breaches of the laws or this convention, review the whole position with a view to increasing the minimum ages or regulations by which effect is given to the provisions of this article

4. The competent authority shall, after a period of five years from the date of passing legislation giving effect to the provisions of this convention, review the whole position with a view to increasing the minimum ages prescribed in this convention, such review to cover the whole of the provisions of this article.

HINDU AND SIKH REPRESENTATION ON RAILWAY SERVICES

Fourteen Hindu and Sikh members of the Assembly submitted on April 4, 1932, to Sir George Rainy, Commerce and Railway Member, a comprehensive statement reviewing the position of Hindu and Sikh representation on railway services and urging Government to increase the representation of these communities in proportion to their rightful claim. The memorandum appealed for justice for all communities in place of deliberate discrimination in favour of Anglo-Indians. "The result has been," says the memorandum, "that the Hindus and Sikhs are very inadequately represented in the Subordinate Railway Services On the State-managed Railways in posts rising to Rs. 250 or over there are only 1,522 Hindus out of a total staff of 6,213, while, according to Mr Hassan's report, they are only 26 per cent. in posts on a minimum of Rs 150 or more. This is altogether disproportionate to their population ratio

Mr. Hassan recommends that while the existing proportion of Anglo-Indians should remain intact, a minimum proportion, different on different railways, up to 50 per cent. should be reserved for Muslims. This means that Anglo-Indians' preponderance should continue, and the representation of Hindus and Sikhs who are already inadequately represented should be further reduced. It may be mentioned that Mr. Hassan suggests the minimum proportion of 5 per cent. for the lower grades only. For the higher grades he recommends a higher proportion in order to make up the shortage. Here Mr. Hassan's arithmetic also seems faulty. If the Anglo-Indians' proportion is to remain intact, the increase in Muslim representation can be only at the expense of the Hindus and Sikhs Considering that the Hindus in the higher grades are only 26 per cent. and of Sikhs 2.6 per cent., a proportion of 50 per cent. or over for Muslims cannot be reserved out of 28·6 per cent.

The ground on which the continuance of Anglo-Indian recruitment at the present level is justified, is the necessity of avoiding a sudden dislocation in the economic life

of that community, and the proved aptitude of members of that community for certain kinds of railway work. The second argument is a pure 'camouflage,' for if you restrict recruitment to a particular community to the exclusion of all others, as has been admittedly done in the past, the question of aptitude does not arise. In any case, these arguments apply equally to the Hindus and Sikhs who have won their present position, however unsatisfactory it is, in the subordinate ranks of the Railways by sheer merit and in the teeth of unfair competition and racial discrimination, and it is iniquitous to deprive them of their hard-earned position by continuing the privileged position of the Anglo-Indians (who have, in the past, been recruited with very low qualifications) and raising another community to the same privileged position. If the recruitment is to be based on the bas.s of population it should apply to Hindus also. Let Mahomedans get their proportion by all means, but let not the already inadequate proportion of Hindus be reduced still further, and if the precaution is taken in the case of any one community of not dislocating their economic life too suddenly, let the same precaution be taken in the case of others. Moreover, if proportions are to be fixed, they should, in the case of posts requiring literacy, be based not on the population of illiterate people but on the number of literate persons in each community.

GENERAL STRIKE ON RAILWAYS

The General Council of All-India Railwaymen's Federation resolved to take ballot on the question launching a general strike on all the railways simultaneously as a last resort to have their grievances redressed. B B. & C I. Ry., B. N. Ry., E. B. Ry., G. I. P. Ry., M. S. M. Ry. and S. I. Ry. voted in favour of the strike. The General Council of the Federation met in Calcutta early in May to consider the position and decided to concentrate its energies towards preparation of a general strike.

The grievances of the railwaymen were given in a statement issued by Mr. Jamnadas Mehta, President of the Federation, on the proceedings of the meeting held in May. It says: "The ruthless retrenchment that has been carried on, coupled with short time and wage-cut, as also the threatened further retrenchment, has rendered the position of the workers extremely precarious even after 45000 of them have been thrown out of employment. The Murphy Court of Enquiry has proved a broken reed. The Railway Board and the Railway Administrations are adamant. The Board are willing to borrow crores of rupees out of the Depreciation Fund to make up the deficit due to extravagance and waste, but to prevent the starvation of thousands of workers they would not borrow even three crores from that Fund as suggested by the Federation. In this gloomy situation, the workers are left with no alternative but to strike, to strike soon and to strike thoroughly."

The fifth half-yearly meeting between the Railway Board and the All-India Railwaymen's Federation commenced on the 13th June. In regard to the employees who had, by reason of demotion, suffered a reduction in their emoluments to the extent of 40 per cent. or over, the Board agreed to arrange for a consideration of their cases, so far as State-managed railways were concerned and to invite company-managed railways to follow a similar procedure.

With regard to the terms to be allowed to the men discharged, the Board agreed to waive the maximum limit of six months' pay applicable to a service gratuity ordinarily admissible to an employee with less than 15 years' service, discharged on reduction of establishment, and to allow a similar concession to persons who offered and were permitted to retire voluntarily. The Board also agreed, at the request of the Federation, to persons who might be permitted up to 31st October 1932 to retire voluntarily in the units in which there was no surplus at present but, where there was a waiting list of men discharged, being allowed similar terms to those sanctioned for the purpose of inducing voluntary retirements in the units in which there was a surplus.

The Chief Commissioner agreed to ascertain the cases of persons on State-managed railways with over ten years' service, who had been discharged for inefficiency in contravention of the rule. Mr. Jamnadas Mehta then mentioned that, on the results of the strike ballot, the Federation had a mandate for direct action, but that they would await the Railway Board's decision on the two major suggestions relating to compulsory leave by rotation and borrowings from the depreciation fund with the object of reinstating employees discharged the previous year, and avoiding further discharges, before taking a final decision. He assured the Railway Board that the Federation was most anxious to avoid precipitate action, and he hoped that they would not be driven to acting in pursuance of the mandate which the ballot had given them

TRADE AND INDUSTRY

NEW LOANS

A sterling loan of £10,000,000 carrying 5 per cent. interest was floated on April 27, 1932 in the form of 1942-47 stock. The object of the loan was obviously to pay off the six per cent. sterling loans repayable in June, 1932 The issue price was £95 per cent. Ar-

rangements were made for the receipt of subscriptions in India. The loan was over-subscribed by a large margin and was open only for one hour.

Subscriptions for an issue of a 5½ per cent. Loan, 1938-40 was received without limit of amount from June 6, 1932 to June 18, 1932. The issue price was Rs. 98 for every Rs. 100 of the Loan applied for. Subscriptions were in the form of cash or of treasury bills or 6 per cent. Bonds, 1932 as follows:—Cash, 13,31 lakhs. Treasury Bills 1,81 lakhs: and Bonds 3,57 lakhs; total 18,69 lakhs.

BENGAL JUTE CRISIS

A dispute arose between the members of the Indian Jute Mills Association and the non-Association Mills regarding the restriction of mill production. The Governor of Bengal took a leading part in bringing about an agreement. The bases of the agreement were.

(1) The three non-Association mills, namely, the Agarpara, the Adamjee, and the Gagalbhai, are to work for 54 hours per week and with the full complement of looms; (2) The Association mills are to work for 40 hours per week, with 15 per cent. of their looms sealed up; (3) The forfeited deposit of Rs. 60,000 is to be returned to the Adamjee mill; (4) The truce is to hold good for twelve months; (5) The arrangement is subject to confirmation of Mr. Mofatlal Gagalbhai as well as the unanimous confirmation of members of the Indian Jute Mills Association.

PROTECTION FOR TEXTILE INDUSTRY

The Government of India directed the Tariff Board on April 9, 1932 to enquire into the question of granting protection to the Cotton textile industry. The following points were specially referred to the Board for investigation:—(1) Whether the claim of the Indian Cotton textile industry to protection has been established. (2) If the claim is found to be established, in what form protection should be given, and to what extent. (3) If it is proposed that protection should be given by means of import duties—(a) whether the same rate of protection is required against the competition of goods manufactured in the United Kingdom as against the competition of goods manufactured elsewhere; and (b) what rates of duty are recommended in respect of—(1) Cotton piece-goods, (ii) Piece goods made wholly or partly of artificial silk, and (iii) Cotton twist and yarn, according as they are manufactured in the United Kingdom and elsewhere.

The Board was also requested to consider how its recommendations would affect the handloom weaving industry

The Ahmedabad Millowners' Association advocated the adoption of the same scale of duties on British goods as on goods of non-British manufacture. Special powers to the Government of India, similar to those given to the Board of Trade in England last November to deal with the menace of Japanese cotton piece-goods imports were urged by the Bombay Millowners' Association in their representation to the Indian Tariff Board.

SALT CONFERENCE

A conference of the representatives of the Government of India and of the Governments of Bengal and Bihar and Orissa and of the various concerns manufacturing salt opened in Simla on May 25, 1932. Sir George Schuster, the Finance Member, presided. In opening the Conference he referred to the recommendation of the Tariff Board, in September 1930 and also to the report of the Salt Advisory Committee of the Legislative Assembly, which, in its second report, expressed the fear that under the existing arrangement, Aden might secure the virtual monopoly of the entire Sale Market. The Government could not accept such a position. It would be contrary to their duty of guarding Indian interests and to the opinions clearly expressed by the Legislature.

The Finance Member emphasised that the problem might be narrowed down to the determination, on the one hand, of the maximum share of the market that Khewra and other Northern Indian sources could supply, and on the other of the share that in common fairness, Aden should be allowed to contribute without question or restriction. If the price to the consumer was to be maintained at a reasonable level, it seemed obvious that the legislature could not commit itself to a system of rigidly determined quotas for all the existing sources, which would imply an even greater interference with the free play of competition than was involved in the Tariff Board scheme.

Concluding, Sir George Schuster said that a comprehensive system of quotas all round would practically amount to a guarantee by the Government that each source should be in a position to dispose of a certain quantity of salt and this, in turn, might mean that the Government would be compelled to exercise some sort of control over the quality which could not be exercised effectively except by revising the idea of establishing a Government monopoly over the salt supplies of the Bengal market. The other important subject for consideration was the fair selling price fixed by the Tariff Board. Considerable divergence of opinion among the representatives was manifested as to the shares of the market to which each group of sources was entitled.

The representatives of the Government of Bengal and Bihar and Orissa explained that their respective Governments regarded the imposition of an additional duty on

imported salt as detrimental to the interests of the inhabitants of those provinces. They were also opposed to any system of quotas as calculated to aggravate the situation.

Mr. Walchand Hirachand, the chief spokesman of salt manufacturers at the Conference, stated in a press interview:

"Salt manufacturers in the Continent of India were united in impressing on the Government three definite issues, namely, firstly, that Italian products of salt in Aden should be excluded from the benefits of protection until they entirely fall into line with the Indian manufacturers by converting themselves into an Indian company with conditions regarding capital, directorate, management and apprentices which have been urged in India to prevent foreign capital from exploiting the resources of our country; secondly, that the Government must stand by the undertaking it gave through Sir George Schuster who, speaking in the Assembly on March 23 last, said: Aden would have to have a steadily declining quota as sources on the mainland of India developed'; and thirdly, with a view to prevent the admitted danger of over-production, for which purpose Indian manufacturers had agreed to restrict their programme, we urged that neither the Government should compete with private enterprise, nor should it allow additional sources of manufacture to develop in the Indian States But we were all agreed that every facility should be given to Bengal and Bihar and Orissa, including Indian States in those areas to develop their internal resources in the matter of salt supply.

"Finally, so far as the Indian producers in Aden were concerned, we on the mainland of India were prepared to come to a reasonable agreement with them as regards the quota and were ready, in case we failed to agree among ourselves, to leave the question between India and Aden producers to Arbitration."

BUY INDIAN LEAGUES

Taking the cue from the "Buy British" campaign in England, Buy Indian Leagues and Swadeshi Sanghas were established throughout the country to preach the cult of Swadeshi. Numerous associations were organised in the cities and towns and the idea also spread to the taluks and districts. A large number of district boards and municipalities adopted resolutions in favour of buying swadeshi goods. Arrangements were under preparation to start permanent swadeshi exhibitions and information bureaus. All-India Swadeshi Day was observed on May 29, 1932 for propaganda.

The propaganda under the auspices of the Buy Indian Leagues did not meet the approval of the local Governments who put bans on some of them. The Government of Madras in a communique intimated that the Government did not intend to impose any obstacle in the way of genuine advertisement of Indian goods but the fact remained that the swadeshi enterprise unfortunately became associated with civil disobedience movement. The communique advised the Sanghas to conduct their propaganda with circumspection and avoid the appearance of sympathy with any unlawful movement.

INDIAN STATES ENQUIRY COMMITTEE

The Indian States Enquiry Committee presided over by Rt. Hon. J. C. Davidson continued to record evidences during the quarter under report. On April 12, 1932, the Committee took the evidence tendered on behalf of the Simla Hill States. The memorandum referred to the cash contributions paid by the States to the Government of India, which are distinct from payments in commutation of liabilities for the supply of forced labour. The States emphasised their aversion to any fresh financial burden being placed upon them in the shape of cash contributions in case they chose to come into the Indian Federation. They complained that they did not get any payment of revenue from opium or 'charas,' the cultivation of which was restricted in the States in agreement with the British Government; they claimed a payment of that revenue. In the case of kerosene oil, petrol, excise and customs duties levied by the British Government, the States claimed a share of yield from revenue. The memorandum also declared that if they decided to take part in an all India Federation, they wanted at least one seat to be allotted to them in each Chamber of the Federal Legislature.

The States Enquiry Committee held several discussions with the representatives of the States in the Punjab (Bahawalpur, Mandi, Malerkotla, Sirmur and Simla Hill States). On April 15, they conferred with a deputation from the States of Manipur in Assam and on April 16, they met the Maharaja of Patiala and two of His Highness' Ministers. The Committee sailed for England on April 30.

INDIAN PRESS ACT

Many newspapers and periodicals came under the purview of the Indian Press (Emergency Powers) Act, 1931 during the quarter under review. Many papers were served with restraint notices forbidding them from publishing any matter of the following descriptions, viz., (A) (1) Congress propaganda of any kind including messages from

persons arrested; (2) messages issuing or purporting to issue from prisoners in jail; (3) immoderate criticism of Government, or Government officials; (4) exaggerated reports of political events; (5) notices and advertisements of meetings, processions and other activities intended to promote civil disobedience movement; (6) photographs and names of persons taking part in or arrested or convicted in connection with Congress activities or photographs of any incidents relating to such activities, (7) any other matter in furtherance of Civil Disobedience movement, or in furtherance of the programme of the Working Committee of the A. I. C. C. as published in the India Gazette, dated 16th January, 1932, and (B) requiring them to abstain themselves from all activities in support of the Civil Disobedience movement.

In case of violation of these orders, the papers were in the first instance warned and deposit money called for; on repeated breach of the restraint order the deposit was forfeited and as an extreme measure the publication was directed to be stopped. It will be impossible to give a full list of the papers dealt with under the Act. A few important cases are noted below:—

BOMBAY CHRONICLE—The printer and the publisher of the paper were called upon to deposit securities of Rs. 3,000 in each case under Section 7, Sub-section 3 of the Indian Press (Emergency Powers) Act, 1931 before May 31, 1932 for publishing an article entitled "Why Were They Not Ready ?" by Mr B. G. Horniman.

ANANDA BAZAR PATRIKA—The keeper of the "Ananda Press" and the publisher of the "Ananda Bazar Patrika," a Bengali daily, were served with notices by the Government to deposit with the Chief Presidency Magistrate by the 8th June, Rs. 1,000 each for the publication of certain alleged objectionable passages on 17th April in an article entitled "England and India."

JANAMAT—The editor of "Janamat," a weekly published from Jalpaiguri was served on June 2, 1932 with an order under the Press Emergency Ordinance by the Deputy Commissioner directing him to stop further publication of the paper for one month.

AMRITA BAZAR PATRIKA—A security of Rs. 6,000 was demanded by the Bengal Government from the keeper of the "Amrita Bazar Patrika" press and the publisher of the "Amrita Bazar Patrika" for publishing in its issue of May 25 an article entitled "India in travail" by Prof. S. K. George. The amount demanded was asked to be deposited according to one notice on or before the 6th of July and, according to another, on or before the 26th of July.

LIBERTY—Notices under the Press Ordinance were served on June 17, 1932 on the keeper of the Indian Daily News Press and the printer of "Liberty" forfeiting Rs. 1,000 out of Rs. 6,000 already deposited in January last under the Press Act, for the publication of an article entitled "Christianity on trial" by Prof. George in the issue of "Liberty," dated May 27 last.

AJ—The publisher of "Aj," Benares, was asked on June 24 to deposit a security of Rs. 1,000 for publishing statements regarding the alleged police assaults on women volunteers

SANSAR-SAMACHAR—The editor and the printer-publisher of the "Sansar-Samachar," a vernacular daily of Karachi, were served with a notice by the District Magistrate of Karachi on June 7, 1932 requiring them, inter alia, not to even publish the names of the arrested and convicted Congressmen.

SINDHU—For defying a similar notice by the District Magistrate of Hyderabad, the "Sindhu" of Hyderabad had to suspend its publication and Messrs. Anandram Hingorani and Suratsingh Utamsinghani, its editor and printer respectively, were sentenced to 12 months' rigorous imprisonment each.

REMOVAL OF UNTOUCHABILITY

HINDU MAHA SABHA'S APPEAL

Dr. B. S. Moonje, Acting President of the Hindu Maha Sabha, issued the following statement to the Press on April 14, 1932:—

"On behalf of the Hindu Maha Sabha I have often appealed and I again appeal to Hindu orthodoxy and religious conservatism to relax its stiffness and, in a broad and generous spirit of humanity, to take an impartial survey of the situation as it is developing in respect of Hindus and Hinduism in India The recent happenings in Kashmir and the preachings against patriotism and nationalism of Sir Mahomed Iqbal, a member of the Round Table Conference and the President of the Muslim Conference recently held at Lahore, ought to prove an eye-opener to Hindus generally and to Hindu orthodoxy particularly. The so-called "untouchables" and Depressed Classes form the very foundation of Hindu society on which depends the greatness and the future destiny of the Hindus. The Hindu Maha Sabha earnestly appeals to them not to rush headlong towards wanton suicide, which spells both political and religious extinction. So far as the Hindu Maha Sabha and those of us who are captivated by the call of Hindu Sangathan of the Hindu Maha Sabha are concerned—and they are a rapidly increasing lot—"untouchability" is wiped out of existence and is now merely a thing of past memory. It is

time for Hindu youth to rise in a body, and purge the social life of Hindus of the still lingering vestiges of "untouchability." Let orthodoxy take courage in both hands, sing the song of complete annihilation of "untouchability" and declare from the house-tops that their gods and temples are not polluted by the devotional worship of their so-called "untouchable" brethren."

Pandit Malaviya on Mantra

In the course of a message published on June 10, 1932, Pandit Madan Mohan Mala viya said: Ever since Mahatma Gandhi made his powerful appeal to the Hindu community to remove untouchability and to lift up the depressed classes the progress achieved in this direction has been remarkable; but more remains to be done and I know of nothing which is better calculated to bring about complete uplift of the depressed classes than giving to them of 'mantras' which they can repeat in common with the Brahmans, Kshatriyas, Vaishyas and the whole Hindu community of both sexes. I request all learned and pious men who are most qualified to do so. to impart these 'mantras' to all Hindus including the depressed classes who have not yet received 'diksha' of any 'mantra.' It is the greatest gift which we can present to our co-religionists. for it will bring them nearer God and will be a certain means of lifting them up politically, economically, socially and spiritually, in other words. of securing to them all the four great objects of life viz., 'dharma,' 'artha,' 'kam' and 'moksha' i.e., righteous living based on education both religious and secular, lawful pleasures and final emancipation. I appeal to all 'Sanatan Dharma Sabhas,' 'Acharyas' and preachers to organise the initiation ceremonies in their respective spheres of activity. They will thereby be rendering most inestimable service to their humble fellowmen and will, at the same time, be promoting the cause of the ancient religion which it is our privilege to follow.

Bombay Hindu Manifesto

Over a thousand Hindus in Bombay in a manifesto appealed to the custodians, guardians and other persons in charge of Public Temples to throw open the doors of Public Temples to all Hindus irrespective of their caste or section. They felt that the time for this measure was overdue and it was in the best interests of Hinduism and Hindu Society to do this justice to their brethren of the depressed classes.

NATURAL DISASTERS

Severe cyclones swept over various parts of India namely Allahabad, Bengal and Malabar, causing considerable damage to life, limb and property. Appalling stories of destruction of human lives and cattle and blowing away of houses were received from all quarters. In Allahabad hail stones as big as cricket balls fell on May 5, 1932 over an area covering several hundreds of square miles. Bengal districts, however, were the worst sufferers. Dacca, Khulna, Faridpur and other districts were caught in the grip of terrific storms. But the tornado that swept over Mymensingh on the evening of May 9, 1932 surpassed all others in its fury. It created a havoc, not heard of within living memory. The tornado, which began at 3-30 p.m., originated from Torsha, a small river 8 or 9 miles north-west of Begunbari, and 5 or 6 miles on the north of Pearpur. It passed over a tract 25 to 30 miles in length, and less than a quarter of a mile in breadth. Several villages were destroyed, some of them being practically blown off. Leaving aside the question of area affected, the East Bengal Cyclone of 1919 was far less intense than the tornado that passed over Mymensingh in May, 1932.

The local jail presented a ghastly appearance According to the official account the northern and western perimeter walls of the jail were in most parts struck down flat by the tornado. The quarters of all the jail officers and warders were badly damaged. One warders' barrack collapsed completely. The women prisoners had a miraculous escape in the old civil jail, the outer walls of which crashed and damaged the building. The total number killed in the jail was 27 of whom 17 were convicts, two undertrials, three warders, three visitors, one constable and one woman. The number injured was 100, of whom 5 warders and 30 convicts and under trials were seriously injured. The detenus were all unhurt. Of the prisoners convicted of offences connected with the Civil Disobedience movement two were injured, while Sj. Manindranath Ghatak who was missing on the following morning was found dead two days later under the debris of the northern wall.

FOREIGN AFFAIRS

DISARMAMENT CONFERENCE

Article 8 of the Peace Treaty provided that the German disarmament should be the first step towards a general reduction and limitation of armaments. The Protocol of the Locarno Treaty also described that Instrument as a means of hastening effectual Disarmament. The holding of the present Disarmament Conference in April, 1932 was

therefore an essential step towards fulfilling declared purposes, which had been long overdue.

Reopening the Disarmament Conference after three weeks' recess, Mr. Henderson (England) spoke hopefully of the substantial agreement which had been already reached, notably the abolition of aggressive weapons, the abolition of warships over 10,000 tons and a number of States being in favour of the abolition of submarines.

Mr. Gibson (United States) submitted a resolution to abolish tanks, heavy mobile guns and poison gases and intimated that he was prepared later to advocate the abolition of bombing 'planes.

Sir J. Simon (England) warmly supported the American proposals.

Herr Nadolny (Germany) urged the reduction of armaments to the lowest limit compatible with national security.

M. Tardieu (France) sympathised with Mr. Gibson's idea, but considered that the French proposals went farther than Mr. Gibson's, which applied solely to land weapons and was, therefore, contrary to the French argument for inter-dependence in armaments. M. Tardieu again advocated the establishment of an international force for the service of the League of Nations which he declared to be essential. The French proposal reminded the Conference that all were signatories of the Paris Pact and had supported the principle of the limitation of armaments.

A clean sweep of heavy artillery tanks, bombing aeroplanes, battleships, submarines, aeroplane carriers and bacteriological warfare was advocated by Sgr. Grandi (Italy) at the Disarmament Conference, declaring that the deprivation of Armies, Navies and Air Forces of their most powerful arms would make international aggression more difficult and precarious.

M Litvinoff (Soviet-Russia) proposed to establish for each State the percentage of reduction of all armed forces taking into account its geographical situation, population, length of frontiers and other factors, the proposed reduction, ranging from 5 per cent. for an army of 50,000, to 40 per cent. for an army of 10,000.

A draft resolution providing that the reduction and limitation should be achieved by stages with a revision at the shortest possible intervals was submitted by the Belgian, Spanish, Czechoslovakian, Danish, Esthonian, Norwegian and Uruguayan delegations. After prolonged discussion, international support rallied to the British advocacy of a disarmament plan through the prohibition of certain classes of armaments of the more aggressive type. The United States, Germany, Italy, New Zealand and Canada endorsed the proposal. The British proposal conflicted with the French scheme by placing all heavy bombing aeroplanes at the disposal of the League as also heavy artillery and large submarines and warships of over ten thousand tons.

Sixteen countries supported the British proposal. M. Titulesco (Rumania), while not opposing the British proposal, submitted a resolution on behalf of the fourteen States dealing with the methods of Qualitative Disarmament.

Sir J. Simon's qualitative resolution at the Disarmament Conference was unanimously carried on April 22, 1932 after he had expressed his willingness to accept an amendment to placate French opinion by making the last sentence of the resolution read as follows:—

"Possession or use of certain types of armament should be prohibited to any State, or internationalised through an international convention."

Another resolution proposed by Sir John Simon and adopted unanimously read:—

"In seeking to apply the principle of qualitative disarmament, the range of land, sea and air armaments should be examined by Special Committees with a view to selecting those weapons whose character is most specifically offensive and threatening to civilians or most efficacious against national defence "

The great fight over the limitation of submarines at the meeting of the Naval Committee of the Disarmament Conference ended abortively on May 5, 1932.

Sir Eyres Monsell re-stated Britain's case in favour of total abolition on humanitarian grounds or, in the alternative, of reduction in their tonnage to purely defensive purposes. The British delegation, he added, would be prepared to support reduction in the maximum size to 250 tons surface displacement and 340 tons submerged. This would meet the requirements of those states who desired submarines for coast defence.

The Italian delegate declared that if the submarine were abolished, capital ships should also be abolished.

The German delegate averred that capital ships were indirectly offensive as in enforcement of blockade and that the reduction of their tonnage would reduce their offensive character.

The Japanese delegate said that all the weapons were offensive in characters according to the use made of them. Capital ships were the backbone of the Navy and offensive when used in conjunction with other units.

The United States delegate said that America's navy threatened no nation. Battleships were its backbone and if abolished then the whole system of American defence would have to be reconstituted.

The British delegate supported the American view of the defensive character of capital ships. He doubted whether battleships could batter down land fortifications.

IRISH OATH BILL

Mr. de Valera on his election to the presidentship of the Irish Free State re-iterated his intention to remove the Oath of Allegiance from the constitution and to retain the Land Annuities in the Free State. The Irish Free State Government held that the Oath was not mandatory in the Treaty, and that they had an absolute right to modify the Constitution as the people desired. Furthermore, it was their view that, the Constitution being the people's Constitution, anything affecting it belonged to internal sovereignty, and was a purely domestic matter. The Bill for the removal of the Oath of Allegiance was formally moved in the Dail on April 20, 1932.

The British Government considered that the Oath was an integral part of the treaty made 10 years ago. A communication was sent to the Irish Free State Government to make their standpoint clear.

With regard to the Land Annuities, the British Government held that those annuities were payments which the tenants of purchased estates made in order to repay the sums lent to them to buy their land. The Irish Free State Government were bound by the most formal and explicit undertaking to continue to pay the Land Annuities to the National Debt Commissioners, and the failure to do so would be a manifest violation of an engagement which was binding in law and in honour on the Irish State, whatever Administration might be in power, in exactly the same way as the Treaty itself was binding on both countries.

Mr. de Valera, in his correspondence with Mr. J. H Thomas, said that the Irish Free State Government was not aware of any formal and explicit undertaking to continue paying land annuities to the National Debt Commissioners. Mr. de Valera added that any just and lawful claims of the British Government or any creditor of the Irish Free State would be scrupulously honoured by his Government.

This led to the publication on April 19, 1932 of the financial agreement on February 12, 1923, between the British and the Irish Free State Governments

The first paragraph of the Agreement, signed on behalf of the British and the Free State Governments, contained the Irish Free State's undertaking to pay the "annuities due from time to time making themselves responsible for actual collection from the tenant purchasers. The security for such payments would be primarily the Free State Guarantee Fund, similar to that under the existing limitation, and secondly, the Central Fund of the Irish Free State.

The agreements were embodied in the ultimate financial settlement of 1926.

The Removal of the Oath Bill introduced in the Dail on April 20, 1932 was taken up for discussion on April 27 and awakened widespread interest. The Cosgrave Party opposed the Bill. The opposition amendment to the Oath of Allegiance Removal Bill, designed to retain the oath but render it optional for members to take it, was rejected.

All this while the British Government assumed a firm attitude and stressed upon the sanctity of treaties and the maintenance of agreements. When a question was put in the House of Commons on May 12, if the British Government intended entering into negotiations with the Irish Free State regarding the imposition of import duties, Mr. J. H. Thomas, the Dominion Secretary, replied that the abolition of the Oath would directly conflict with the obligations undertaken by the Free State under the treaty of 1921. He added: "If the Bill becomes law, it would be unreasonable to expect that the Government will enter into negotiations for further agreements with a Government which has repudiated the existing Government."

Mr. Thomas, however, made a conciliatory speech at Hove on May 22, 1932 and made a friendly gesture for co-operation between Ireland and the United Kingdom in the interest of both. President de Valera, also, in course of the debate on the Oath Bill on May 26, declared that there was no question of act of severance from the British Commonwealth. The oath was a matter between the Free State and its individual citizens and its removal in no way was to be regarded as an act of severance. The Bill did not deprive the treaty of any binding force that it might have as between the Free State and Great Britain.

A rapprochement between the two countries thus came to be considered as not beyond practical politics. Mr. Thomas, along with Lord Hailsham, paid a visit on June 7 to Dublin on invitation of President de Valera to open negotiations. President de Valera also paid a return visit to London to continue the discussions there. The Anglo-Irish conversations, however, proved abortive.

Contrary to expectations, the Senate mutilated the Oath Bill in course of its second reading on June 8. The Senate not only deleted Clauses 2 and 3 of the Bill which sought to make the Irish Constitution independent of the Treaty, but also inserted a new clause. The new clause would have the effect of delaying the Bill coming into force until an agreement had been entered into between the Free State Government and the British

Government regarding the removal of the Oath and until such an agreement had been ratified by the Dail.

As a result of the adoption of the amendment by the Senate, it was inevitable that the Bill should be held up for a statutory period of eighteen months before it could be re-introduced.

The Irish Senate reached on June 15, its report stage on the Oath Abolition Bill. After consideration of all the clauses, the Senate once again passed the Bill as amended by the Senate the previous week. The division on this reading was 209 votes for and 176 against. The majority against Mr. De Valera in the Senate was therefore 33, which was not an inconsiderable number. The Senate considered the final stages of the Bill on the 29th of June, 1932.

LAUSANNE CONFERENCE

The Lausanne Conference was convened by the six powers, namely, England, France, Italy, Belgium, Germany and Switzerland to find out ways and means to escape the gathering miseries from the prevailing economic cataclysm and the acute trade depression which refused to melt despite the Hoover Moratorium. There was considerable support for the view of the Committee of Economic Experts that adjustment of Inter-Governmental debts to the existing state of the world was the only lasting step to re-establish confidence.

The Conference opened at Lausanne on June 16 under the chairmanship of Mr. Ramsay MacDonald, the British Premier. Fairly a large number of countries, besides the inviting powers, attended the Conference. America however held aloof for obvious reasons but was generally in favour of participating in a Conference deciding the financial and economic issues other than war debts and reparations.

The immediate agenda before the Conference was an equitable solution of the Reparations and War Debts In opening the Conference Mr. MacDonald emphasised the need for a speedy solution and stressed the gravity of the catastrophe threatening every nation. He pointed out that international trade was probably less than half of that in 1929, while the number of unemployed totalled 20 to 25 millions. Restrictions on foreign trade, though unavoidable for the time being, necessarily tightened the stranglehold.

Exchange of views between the interested parties proceeded apace. Each country presented its considered opinion on the subject.

Germany affirmed her inability to pay Reparations in a memorandum which laid emphasis on the necessity for concerted action for advance towards a solution of the economic problem. In view of the French anxiety regarding security the memorandum suggested a sort of consultation clause whereby Germany and the interested Powers could meet in the event of any threat to security and peace.

The British standpoint was practically a statement of principles based on the view that Germany could not pay and if any future payments were to be made, sufficient time must be allowed to elapse to ensure Germany's recovery. The memorandum stipulated that the arrangements must not be of a nature calculated to militate against the possibility of such recovery and must be of a final character.

The French stood for reduction of Germany's reparation payments. The plan was that German payments should be reduced by 1/3 and that the German railway bonds to the extent of the equivalent of the remaining 2/3 would be issued subject to the stipulation that the bonds would not be redeemable for five years. At the end of five years a commission would be appointed to decide upon Germany's capacity to pay. When the tentative talks concluded, the delegates dispersed to their respective countries to consult their Cabinets. When the Conference reassembled Germany pleaded that the stigma of Germany's "War Guilt" must be renounced, that Germany was entitled to military equality with other nations and that no further Reparations should be paid. The proceedings entered a critical stage. Baron von Papen (Germany) and M. Herriot (France) had long conversations in which Mr. MacDonald and Signor Grandi (Italy) joined. At a meeting of the six inviting Powers which followed on June 29 general consent was secured to setting up a committee of thirteen members over which Mr. MacDonald would preside to draft a plan for the settlement of Reparations. A Second Committee including Ministers of Commerce was also to be formed to study the economic crisis and resultant tendencies in world trade. It was understood that, in response to urgent appeals by Mr. MacDonald, Baron von Papen had accepted (June 29) the principle of making the final payment in lieu of Reparations but only when normal conditions were restored in Germany.

INDEPENDENCE OF THE PHILIPPINES

Independence of the Philippines within eight years was provided for in a bill passed by the House of Representatives on April 4, 1932, thus terminating a question which had been a topic of controversy in American Congress during the past thirty years.

MISCELLANEOUS

INDIANISATION OF THE ARMY

An announcement was made by the Government of India in the Legislative Assembly regarding their decision to proceed forthwith with the Indianisation of a Division of all Arms and a Cavalry Brigade. In pursuance of that announcement the Government issued a communique on May 7 mentioning the units selected by the Government. According to the communique the following units were selected for Indianisation in addition to eight units which are already in the process of Indianisation.

(A) Cavalry—3rd Cavalry. (B) Infantry—5th Battalion, 2nd Punjab Regiment; 5th Battalion, 8th Punjab Regiment (Burma); 5th Battalion, 10th Baluch Regiment (King George's Own Jacob Rifles); 5th. Battalion, 11th Sikh Regiment (Duke of Connaught's Own), Simla, Ry. 7; 4th Battalion, 12th Frontier Force Regiment (Sikhs); 6th Royal Battalion, 13th Frontier Force Rifles (Scind).

ARMY RETRENCHMENT SUB-COMMITTEE

The Army Sub-Committee of the Central Retrenchment Advisory Committee referring to the expensive organisation of the staffs of Army Headquarters, and the four Commands into which the administration and control of the Indian Army is divided, in their report published on April 1 recommended speedier Indianisation in various military departments as an economy measure, a reduction in the value of stocks of military requirements and, among other things, a ten per cent cut in the payments made to the members of the Auxiliary and territorial forces. The Committee also recommended that young Indians with high educational qualifications be recruited with a view to their training in lower grades and subsequent promotion to the officer class, if they made good. If a scheme were adopted on these lines, it should be possible to reduce the initial rates of pay of the officer class, in view of the training given at the State's expense.

SHAUKAT ALI'S LETTER TO MRS. NAIDU

In a letter to Mrs. Sarojini Naidu on the picketting of Moslem shops Mr. Shaukat Ali wrote on April 4, 1932:—

"I am writing to you on a very urgent matter which had pained me a great deal and is worrying me still more, as I realise that if things are allowed to drift, matters would take a very serious turn and, I am afraid may cause a great deal of trouble of the whole country and upset all our plans for future work.

As you know we Moslems have not accepted the Congress programme of civil disobedience which had been passed over our heads and in spite of our very strong protest. We have differences with the programme of civil disobedience.

The Congress can stop or paralyse the trade of those who agree with it and have accepted its programme, but should not interfere with those who have not agreed with it nor interfere in its affairs. We Moslems have a distinct programme of our own and we desire to be left alone, so that during the next few years we may make up our deficiency. I think the position of ours ought to be properly appreciated and no new thing should be done which may cause strong opposition and provoke retaliatory measures.

If Congress pickets are put against Moslem merchants, then I am afaid the feeling is growing among the Moslems that they should picket these pickets and adopt similar measures against those who support the highhandedness. If Moslem merchants are boycotted because they rightly refuse to accept the mandate of the Congress, Moslems will be obliged to boycott Hindu merchants in the city of Bombay and also in the rest of India.

If this policy of picketing and boycott against the Moslem merchants started, I am afraid peace would become impossible and this would be a beginning of much greater strife than we have witnessed. I do not want to say any more because I am still hoping that saner counsels and your influence would prevail and we and our Mother land will be spared the terrible scene of fighting and strife which naturally would result after such rash and bullying action.

ADEN, A CHIEF COMMISSIONERSHIP

Aden was so long under the administration of the Government of Bombay but for various reasons the system was found to warrant changes. The "Gazette of India" dated April 1, contained a proclamation that the settlement of Aden and the adjoining dependencies, hitherto included within the Bombay Presidency, should from that day be taken under the immediate authority and management of the Governor-General for India in Council and formed into a Chief Commissionership.

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